

Kansas Register

Bill Graves, Secretary of State

Vol. 11, No. 50 December 10, 1992 Pages 1879-1916

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Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of December 14 through December 27:

Date	Room	Time	Committee	Agenda
December 14 December 15	123-S 123-S	10:00 a.m. 9:00 a.m.	Joint Committee on State Building Construction	14th: Presentation on capital improvement projects—Kansas
				Commission on Veterans' Affairs; School for the Deaf; School for the Blind; KSU; and Dept. of SRS. 15th: Status report on construction claims and litigation. Presentation of capital improvement projects—State Historical Society and Kansas Tourist Commission.
December 15	514-S	10:00 a.m.	Joint Committee on Administrative Rules and Regulations	Review of rules and regulations filed by SRS; Kansas Commission on Human Rights; Board of Regents; Dept. of Corrections; KDHE; Insurance Dept.; Board of Cosmetology; Board of Indigents' Defense Services; Real Estate Commission; and comments of interested parties on the Board of Nursing.
December 15	519-S	9:00 a.m.	Special Committee on Children and Families	Agenda not available.
December 16 December 17	531-N 531-N	10:00 a.m. 9:00 a.m.	Joint Committee on Claims Against the State	date.
		terror *.		Emil Lutz

Doc. No. 012827

Emil Lutz Director of Legislative Administrative Services

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Register Office: 235-N, State Capitol (913) 296-3489

State Banking Board

Notice of Meeting

The State Banking Board will meet at 9:30 a.m. Monday, December 21, in the conference room of the Office of the State Bank Commissioner, Suite 300, Jayhawk Tower, 700 S.W. Jackson, Topeka. The board reviews matters relating to its supervisory authority set forth in K.S.A. 9-1801 et seq.

Frank D. Dunnick State Bank Commissioner

Doc. No. 012800

State of Kansas

Corporation for Change

Notice of Family Court Advisory Committee Meeting

The Family Court Advisory Committee will meet at 10 a.m. Wednesday, December 16, at the Board of Governor's Room, Kansas Bar Association Building, 1200 Harrison, Topeka.

Kay Farley Secretary

Doc. No. 012806

State of Kansas

Office of the State Treasurer

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 75-4210 as amended per 1992 Session Laws of Kansas, Chapter 146. These rates and their uses are defined in K.S.A. 75-4201(1), 12-1675(b)(c)(d) and K.S.A. 75-4209(a)(1)(B), as amended by the 1992 Legislature.

Effective 12-14-92 through 12-20-92

		
Term		Rate
0-90 days	And the second second	3.12%
3 months	To the set of the set	3.30%
6 months	8	3.45%
12 months		3.88%
24 months	* - +	4.73%
36 months	•	5.43%
48 months		5.81%

Sally Thompson State Treasurer

Doc. No. 012826

State of Kansas

State Fair Board

Notice of Meeting

The State Fair Board will meet at noon Tuesday, December 15, in the board room of the administration building on the fairgrounds in Hutchinson. The meeting will continue December 16. For further information, contact Deana Novak at (316) 669-3612.

Deana K. Novak Administrative Officer

Doc. No. 012807

State of Kansas

Board of Indigents' Defense Services

Notice of Meeting

The State Board of Indigents' Defense Services will meet at 1:30 p.m. Friday, December 11, at the North Central Regional Public Defender's Office, 300 W. Ash, Room 300 A, Salina. For additional information, contact Ron Miles, Director, State Board of Indigents' Defense Services, Room 506, Landon State Office Building, 900 S.W. Jackson, Topeka 66612, (913) 296-4505.

Ronald E. Miles Director

Doc. No. 012810

State of Kansas

State Conservation Commission

Notice to Contractors

Sealed bids for the construction of a 39,000 cubic yard and a 35,400 cubic yard detention dam, Site 54 and Site 55 in Pottawatomie County, will be received by the Rock Creek Joint Watershed District No. 45 at King Engineering, Inc., 125 W. 4th, Holton 66436, until noon December 29, or hand carried and submitted prior to bid openings. Bids for Site 54 will be opened at 2 p.m. and for Site 55 at 2:30 p.m. on December 29 at the Soil Conservation Service Field Office, Westmoreland 66549, (913) 457-3398.

A copy of the invitation for bids and plans and specifications can be obtained at the office of King Engineering, Inc., (913) 364-4312, or reviewed at the Soil Conservation Service Field Office, Westmoreland. A \$25 returnable deposit is required for each set of plans.

Kenneth F. Kern Executive Director

Doc. No. 012836

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Department of Administration

Public Notice

Under requirements of K.S.A. 1991 Supp. 65-34,117(b), as amended by 1992 House Bill No. 3153, records of the Division of Accounts and Reports show the unobligated balances are \$2,087,235.63 in the underground petroleum storage tank release trust fund and \$4,868,388.25 in the aboveground petroleum storage tank release trust fund at November 30, 1992.

Susan M. Seltsam Secretary of Administration

Doc. No. 012816

State of Kansas

Department of Administration Division of Architectural Services

Notice of Commencement of Negotiations for Technical Services

Notice is hereby given of the commencement of negotiations for air and water balancing services of mechanical systems for state construction projects for the six-month period from January 1, 1993 to June 30, 1993.

Interested individuals or firms in the balancing field must be certified by the National Environmental Balancing Bureau or the Associated Air Balance Council. Said individuals or firms must be engaged in balancing work on a full-time basis. Balance agencies which are of the same parent company as the designers or contractors of a particular project will not be considered for that project.

Firms interested in providing these services should submit a letter indicating their qualifications, fees for their services, and geographical areas of the state in which they are willing to work to Roger C. Linneman, Division of Architectural Services, 625 Polk, Topeka 66603-3288, (913) 233-9367.

It is the intention of the division to pre-approve a separate group of qualifying balancing contractors and award projects on a rotational basis. If a firm anticipates being limited to specific sized projects, by dollar volume or location in the state, that information should also be supplied with the response.

Any questions or expressions of interest should be directed to Roger Linneman on or before December 28.

J. David DeBusman Director, Division of Architectural Services

Doc. No. 012830

State of Kansas

Kansas Planning Council on Developmental Disabilities Services

Notice of Meeting

The Kansas Planning Council on Developmental Disabilities Services will conduct its quarterly meeting at 10 a.m. Thursday, December 17, in Room 452-West, Docking State Office Building, 915 S.W. Harrison, Topeka.

John F. Kelly Executive Director

Doc. No. 012811

State of Kansas

State Emergency Response Commission

Notice of Meeting

The State Emergency Response Commission will meet at 11 a.m. Thursday, December 17, in Room 11 of the State Defense Building, 2700 S.W. Topeka Blvd., Topeka.

Robert C. Harder Secretary of Health and Environment

Doc. No. 012825

State of Kansas

Social and Rehabilitation Services

Request for Proposals

The Department of Social and Rehabilitation Services will accept applications for grants under the State Child Care and Development Block Grant and Dependent Care Planning and Development Grant Programs for child care and child care related activities. Grant component areas include: Center Based Establishment or Expansion, Family Resource Center Demonstration Project, Head Start Wrap-Around, Employer Child Care Campaign, School Age Child Care, Child Care Resource and Referral, and Child Care Provider Training/Technical Assistance.

Instructions for completing the application are described in the RFP, which is available upon request from area SRS offices or from Karen Juola, Department of Social and Rehabilitation Services, Child Care Unit, 300 S.W. Oakley, West Hall, Topeka 66606, (913) 296-3742. Applications must be postmarked no later than February 5. Applications postmarked after that date will not be considered.

Donna Whiteman Secretary of Social and Rehabilitation Services

Kansas Inc.

Notice of Meeting

The Kansas Inc. Board will meet from 9:30 a.m. to 12:30 p.m. Wednesday, December 16, at Kansas Inc., 632 S.W. Van Buren, Suite 100, Topeka. The meeting is open to the public.

Charles R. Warren President

Doc. No. 012803

State of Kansas

Information Network of Kansas

Notice of Meeting

The Information Network of Kansas Board will meet at 3 p.m. Thursday, December 17, at Kansas Inc., 632 S.W. Van Buren, Suite 100, Topeka. The meeting is open to the public.

Charles R. Warren President, Kansas Inc.

Doc. No. 012804

State of Kansas

Department of Administration Division of Architectural Services

Notice of Commencement of Negotiations for Technical Services

Notice is hereby given of the commencement of negotiations for surveying and soil testing services for state construction projects for the six-month period from January 1, 1993 to June 30, 1993. Soil testing services would include testing and reporting prior to construction and inspection services during construction. Firms that provide concrete, welding, asphalt and steel testing are also being sought.

steel testing are also being sought.

Firms interested in providing these services should submit their SF 255 indicating their qualifications, fees for their services, and geographical areas of the state in which they are willing to work to Gary Grimes, Deputy Director of Planning & Project Management, Division of Architectural Services, 625 Polk, Topeka 66603-3288, (913) 233-9367. An original and four copies of the SF 255 form (plus attachments as required) should be submitted with letters of interest.

It is the intention of the division to pre-approve a separate group of qualifying surveying and testing firms and award projects on a rotational basis. If a firm anticipates being limited to specific sized projects, by dollar volume or location in the state, that information should also be supplied with the response.

Any questions or expressions of interest should be directed to Gary Grimes on or before December 28.

J. David DeBusman Director, Division of Architectural Services State of Kansas

Department of Revenue Division of Vehicles

Notice of Proposed Establishment of New Vehicle Dealer

In accordance with K.S.A. 1991 Supp. 8-2430, notice is hereby given of the proposed establishment of a new motor vehicle dealer for the Pontiac line-make of motor vehicle. The proposed establishment is 300 S. Main, Greensburg 67054. The name of vehicle dealer-operator is Dwane Shank Motors, Inc.

By publication and separate personal notice, where required, existing new motor vehicle dealers in new motor vehicles of the same line-make, with standing, are given 30 days from this date of publication in the Kansas Register to file a petition or complaint with the Director of Motor Vehicles protesting such proposed establishment. Such petitions or complaints must be directed to the Kansas Department of Revenue, Director of Motor Vehicles, 1st Floor, Docking State Office Building, 915 S.W. Harrision, Topeka 66612.

Betty McBride Director of Motor Vehicles

Doc. No. 012833

State of Kansas

Department of Administration Division of Architectural Services

Notice to Consulting Architects and Engineers

The Kansas Department of Administration is inviting all consulting firms who are interested in providing architectural and engineering services for capital improvement projects to prequalify themselves with the Division of Architectural Services, a division of the Department of Administration. Architectural work shall include landscape architecture. Engineering services shall include asbestos and environmental engineering.

In order to prequalify, the firm must have an architect or engineer registered with the State Board of Technical Professions in any discipline to which the firm is seeking work; i.e., a structural engineer must seal the structural drawings with his Kansas engineering seal.

In addition to the above, the statutes require that firms annually submit a Statement of Qualifications. In this regard, a completed Federal SF 254 form must be submitted by January 8. Any additional information is available by contacting Gary Grimes, Deputy Director, Planning & Project Management, Divison of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367; FAX (913) 233-9398.

J. David DeBusman Director, Division of Architectural Services

Doc. No. 012832

Kansas Arts Commission

Notice of Major Grant Application Deadline

Non-profit organizations and public agencies in Kansas may apply until 5 p.m. February 1 for funding support from the Kansas Arts Commission through the Major Grant program for fiscal year 1994 (July 1, 1993-June 30, 1994).

Not-for-profit organizations must be incorporated as such with the Kansas Secretary of State, must have applied for tax-exempt status with the federal Internal Revenue Service, and must not have outstanding final

report forms for any commission grant.

Applicants are expected to meet all pertinent federal requirements regarding civil rights, equality, non-discrimination, education, and accessibility for persons with disabilities.

Applicants may request an amount up to 50 percent of their proposed budget in one of the five Major Grant categories. The grant request must be matched with cash and in-kind services by the applicant.

The five grant categories are:

 Project Support, for one-time or stand-alone arts events that do not require on-going support. Nonarts organizations may apply to support arts activities.

 Basic Program Support, to assist arts organizations with operating expenses, such as programming, ad-

ministration, and marketing.

 Presenter/Festival Support, to assist arts agencies with operating expenses for yearly festivals and presenting forums. This is a new category.

Local Arts Agency Support, to assist local arts agencies with operating and programming expenses.

Statewide Arts Service Organization Support, to assist service organizations that serve a statewide arts constituency.

In April 1993, the commission will convene a funding advisory panel in each category to review and evaluate the applications and to recommend funding amounts. Each panel is comprised of commissioners and persons knowledgeable in the arts, business and industry from across Kansas.

The applications are evaluated on such criteria as adherence to the guidelines, evidence of quality and value to the citizens of Kansas, development and progress of the organization, reasonable budget costs, and evidence that services extend to all constituencies, including culturally diverse populations, people with disabilities, institutionalized persons, and older citizens.

The panel recommendations will be submitted to the full commission for action during the quarterly business meeting in May 1993. The amounts of the grants awarded in relation to the amounts requested may vary in relation to such factors as total funds available, allocations to each category, the number of applicants in each category, and each applicant's funding history, if any.

Guidelines and application forms for the Major Grant program may be obtained by contacting the Kansas Arts Commission, 700 S.W. Jackson, Suite 1004, Topeka 66603-3758, (913) 296-3335; FAX (913) 296-4989. Persons with special communications needs may utilize the Kansas Relay Center, 1-800-766-3777.

The Kansas Arts Commission is a state agency funded through appropriations from the Kansas Legislature and grants from the National Endowment for

the Arts, a federal agency.

Dorothy L. Ilgen Executive Director

Doc. No. 012822

State of Kansas

Kansas Arts Commission

Notice of Governor's Arts Awards Nomination Deadline

Governor Joan Finney and the Kansas Arts Commission have issued a call for nominations for the 1993

Governor's Arts Awards.

The Governor's Arts Awards are presented annually to recognize outstanding contributions to the excellence, growth, support, and availability of the arts in Kansas. The awards focus attention on the importance of the arts to the quality of life for all Kansas citizens by honoring those who have made outstanding achievements or significant contributions to cultural growth.

Nominations are accepted from Kansas citizens and organizations that seek to pay tribute to visual artists, performing artists, creative writers or publishers, traditional or folk artists, art educators, elected officials, arts advocates, arts organizations, and individual or

corporate arts patrons.

Any individual residing in Kansas or any business, organization or institution located in Kansas at the time of nomination is eligible to be nominated. Members of the commission or its staff and previous Kansas Governor's Artists or Governor's Arts Awards recipients are not eligible. Self-nominations are permitted.

All nomination forms and any materials in support of the nomination must be received in the Kansas Arts Commission office by 5 p.m. Monday, January 4. Submissions by facsimile machine are not acceptable.

Award recipients will be selected from among the nominees by a panel that includes members of the Kansas Arts Commission, a representative of the Governor's staff, and representatives of various arts disciplines and organizations.

The awards will be presented by Governor Finney during a ceremony in the Capitol early in 1993, on a

date to be announced.

All nominations must be submitted on official forms, which may be obtained by contacting the Kansas Arts Commission, Jayhawk Tower, 700 S.W. Jackson, Suite 1004, Topeka 66603-3758, (913) 296-3335; FAX (913) 296-4989. Persons with special communications needs may utilize the Kansas Relay Center, 1-800-766-3777.

Dorothy L. Ilgen Executive Director

Kansas Arts Commission

Notice of Arts In Education Program Deadline

Kansas schools and school districts, public agencies, and non-profit organizations may apply for funding support from the Kansas Arts Commission through its Arts In Education program.

The current funding cycle is for arts programming during fiscal year 1994 (July 1, 1993-June 30, 1994). The application deadline for the Arts In Education pro-

grams is 5 p.m. March 15.

The Special Project category offers:

 "Arts in Early Education," which is available for providers of services for children from birth through five years of age.

 "Arts and Kansas Quality Performance Accreditation," which provides funds to include the arts in student outcomes and school improvement plans.

- "Arts in Education Programs with a Social Focus, Special Populations," which supports projects that utilize the arts in enhancing the development of atrisk students.
- "Community Resource Development for Arts in Education," which assists in identifying, assessing and evaluating arts resources in communities of all sizes and settings for educational collaborations.

The Residency category offers:

 "Artists in Schools and Education Programs," which enhances enxperiences in the arts for students while providing opportunities for artists in all disciplines to share their creativity. This grant category offers support for artist residencies from one day to one year in length.

Applicants may request an amount up to 50 percent of their proposed budget. The grant request must be matched with cash and in-kind services by the applicant. Applicants are expected to meet federal and state requirements regarding civil rights, equality, non-discrimination, education, and access for persons with disabilities.

Not-for-profit organizations must be incorporated as such with the Kansas Secretary of State and must have applied for tax-exempt status with the federal Internal Revenue Service. All applicants must not have any outstanding final report forms for any commission

program

In April 1993, the commission will convene a funding advisory panel in each category to review and evaluate pending applications and to recommend funding amounts. Each panel is comprised of commissioners and persons knowledgeable in the arts and education. The applications are evaluated on such criteria as adherence to the guidelines, impact on the school system, budget, artistic quality, clarity and strength of outcomes, and evidence that services extend to all constituencies.

The panel recommendations will be submitted to the full commission for action during the quarterly business meeting in May. The grants awarded may vary

in relation to such factors as amounts requested and funds available and the number of applicants in each

category.

Guidelines and application forms for the Arts In Education Program are available from the Kansas Arts Commission, Jayhawk Tower, 700 S.W. Jackson, Suite 1004, Topeka 66603-3758, (913) 296-3335; FAX (913) 296-4989. Persons with special communications needs may utilize the Kansas Relay Center, 1-800-766-3777.

The Kansas Arts Commission is a state agency funded through appropriations from the Kansas Legislature and grants from the National Endowment for

the Arts, a federal agency.

Dorothy L. Ilgen Executive Director

Doc. No. 012820

State of Kansas

Department of Health and Environment

Notice Concerning Proposed Permit Action

The Secretary of Health and Environment is proposing to issue an air emission source construction permit in accordance with K.A.R. 28-19-14 (permits required) to Heartland Wheat Growers, L.P. (HWG), % Farmland Industries, Inc., Kansas City, Missouri, to install and operate a wheat gluten and starch production facility at the Industrial Park in Russell.

Written materials, including the permit application and information relating to the application submitted by HWG, draft permit, permit summary and analysis by KDHE describing the basis for the proposed permit, are available for public inspection during normal business hours through January 7 by contacting Peter Denning, Air Quality Representative, KDHE office, 2501 Market, Salina, (913) 827-9639. This material also can be reviewed at the KDHE office in Building 740, Forbes Field, Topeka. Questions concerning this proposed permit should be directed to L. C. Hinther, KDHE, (913) 296-1576.

K.S.A. 65-3008 provides that any person affected by the issuance of a permit can request a public hearing prior to its issuance. The request must be in writing and addressed to the secretary. If the secretary determines there is sufficient reason in the request, a public hearing will be conducted—the place, date and time of the hearing will be announced in this publication. A request for a hearing or written comments on the proposed permit must be submitted to the Secretary, Kansas Department of Health and Environment, Landon State Office Building, 900 S.W. Jackson, Topeka

66612, before January 7.

Robert C. Harder Secretary of Health and Environment

Department of Health and Environment

Notice Concerning Proposed Permit Action

The Secretary of Health and Environment is proposing to issue an air emission source construction/ conditional operating permit in accordance with K.A.R. 28-19-14 (permits required) to O'Donnell and Sons Construction, Overland Park, to install and operate an asphalt concrete mixing plant which will also be used as a contaminated soils remediator at 1600 W. 151st, Olathe.

Written materials, including the permit application and information relating to the application submitted by O'Donnell, draft permit, permit summary and analysis by KDHE describing the basis for the proposed permit, are available for public inspection during normal business hours through January 7 by contacting Pat Simpson, Air Quality District Representative, KDHE office, 808 W. 24th, Lawrence, (913) 842-4600. This material also can be reviewed at the KDHE office in Building 740, Forbes Field, Topeka. Questions concerning this proposed permit should be directed to L. C. Hinther, KDHE, (913) 296-1576.

K.S.A. 65-3008 provides that any person affected by the issuance of a permit can request a public hearing prior to its issuance. The request must be in writing and addressed to the secretary. If the secretary determines there is sufficient reason in the request, a public hearing will be conducted—the place, date and time of the hearing will be announced in this publication. A request for a hearing or written comments on the proposed permit must be submitted to the Secretary, Kansas Department of Health and Environment, Landon State Office Building, 900 S.W. Jackson, Topeka 66612, before January 7.

> Robert C. Harder Secretary of Health and Environment

Doc. No. 012814

State of Kansas

Department of Health and Environment

Notice Concerning Kansas Water Pollution Control Permits

In accordance with state regulations 28-16-57 through 63, 28-18-1 through 4, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, tentative permits have been prepared for discharges to the waters of the United States and the state of Kansas for the applicants described below. The tentative determinations for permit content are based on preliminary staff review, applying the appropriate standards, regulations, and effluent limitations of the state of Kansas and the EPA, and when issued will result in a state water pollution control permit and national pollutant discharge elimination

system authorization to discharge subject to certain effluent limitations and special conditions.

Public Notice No. KS-AG-92-102/103

Name and Address Legal Receiving of Applicant Description Water. Kevin Benfer NE/4 Sec. 32, Smoky Hill River Route 1, Box 157 T10S, R1E, Clay Longford, KS 67458 County

Kansas Permit No. A-SHCY-S010

The proposed facility will have capacity for approximately 595 swine. Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided in excess of minimum

Compliance Schedule: The livestock waste management plan for the facility shall be developed. The plan shall cover, but not be limited to, the following items: handling and disposal equipment for both solid and liquid wastes, land application practices used to protect against runoff and leaching, waste application rates based on crop nutrient utilization, and identification of adequate land areas of application of all wastes. Detailed guidance and requirements will be provided by the department. A plan shall be submitted to the department within six months following receipt of detailed requirements. The approved plan will become part of this permit.

Name and Address Legal Receiving of Applicant Description Water Hogs Enterprises SE/4, Sec. 10, T3S, Big Blue River c/o LaVern Stigge R3E, Washington Basin Route 2 County Washington, KS 66968

Kansas Permit No. A-BBWS-S030

The existing expanded facility has the capacity for approximately 1,400 swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided in excess of minimum

Compliance Schedule: None, existing controls adequate.

Public Notice No. KS-ND-92-73

Name and Address Type of of Applicant Waterway Discharge Eastgate Mobile Home Non-discharging Non-discharging Estates c/o Surein Y. Housepian Route 3, Box 170 Arkansas City, KS 67005

Cowley County, Kansas Kansas Permit No. C-AR06-N004

Description of Facility: This a two-cell non-overflowing lagoon system designed for domestic waste only.

Public Notice No. KS-92-193/195

Name and Address Type of of Applicant Waterway Discharge City of Frontenac First Cow Creek Secondary 315 W. McKay St. wastewater Frontenac, KS 66762 treatment facility

Crawford County, Kansas

Kansas Permit No. M-NE27-0001 Fed. Permit No. KS-0026131

Description of Facility: This facility is designed for the treatment of domestic sewage. This is an existing facility. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and are technology based.

Name and Address of Applicant City of Hillsboro c/o City Clerk-City Hall 118 E. Grant Hillsboro, KS 67063

Waterway
Cottonwood River
via South
Cottonwood River
via Wall Creek

Type of Discharge Secondary wastewater treatment facility

Marion County, Kansas

Kansas Permit No. M-NE35-0001

Fed. Permit No. KS-0030589

Description of Facility: This facility is designed for the treatment of domestic sewage. This is an existing facility. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-29(b-f), and are water quality limited.

Name and Address of Applicant Timber Creek East Benefit District 5000 Coachman Road Manhattan, KS 66501

Waterway Big Blue River via Elbo Creek

Type of Discharge Secondary wastewater treatment facility

Pottawatomie County, Kansas Kansas Permit No. M-KS38-D001

Fed. Permit No. KS-0119580

Description of Facility: This facility is designed for the treatment of domestic sewage. This is an existing facility. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and are technology based.

Written comments on the proposed determinations may be submitted to Bethel Spotts, Permit Clerk, or Dorothy Geisler (agricultural permits), Kansas Department of Health and Environment, Division of Environment, Bureau of Water, Forbes Field, Topeka 66620.

All comments postmarked or received on or before January 9 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number and the name of applicant as listed when preparing comments.

If no objections are received during the public notice period, the Secretary of Health and Environment will issue the final determinations. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61 (28-46-21 for UIC). Media coordination (newspapers, radio) for publication and/or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Environment.

The application, proposed permit, including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Kansas Department of Health and Environment offices, Building 740, Forbes Field, Topeka, from 8 a.m. to 4:30 p.m. Monday through Friday. The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

Robert C. Harder Secretary of Health and Environment

Doc. No. 012824

State of Kansas

Kansas Science and Technology Council

Notice of Meeting

The Kansas Science and Technology Council will meet from 10 a.m. to 3 p.m. Friday, December 18, at Kansas Inc., 632 S.W. Van Buren, Suite 100, Topeka. The meeting is open to the public.

Charles R. Warren President, Kansas Inc.

Doc. No. 012805

State of Kansas

Behavioral Sciences Regulatory Board

Notice of Hearing on Proposed Administrative Regulations

The Behavioral Sciences Regulatory Board will conduct a public hearing from 8 to 9 a.m. Tuesday, January 26, in Room 108 of the Landon State Office Building, 900 S.W. Jackson, Topeka, to consider proposed permanent rules and regulations (K.A.R. 102-5-1 through 102-5-12), which will administer registration of marriage and family therapists.

The proposed regulations provide definitions, fees, educational requirements, applications for registration with examination, examinations, registration without examination-grandparenting provision, professional post-graduate supervised experience requirement, registrations, renewal, continuing education for registrants, documentation for continuing education, and unprofessional conduct.

The regulations have an economic impact for both the board and registrants. There may be an economic impact for the general public in that registered marriage and family therapists may charge higher fees to the public than may be charged by non-registered practitioners.

A copy of the proposed regulations and a copy of the economic impact statement may be obtained by submitting a written request to the Behavioral Sciences Regulatory Board, Room 651-S, Landon State Office Building, 900 S.W. Jackson, Topeka 66612-1263.

The time period between the publication of this notice and the scheduled hearing constitutes a public comment period for the purpose of receiving written public comments on the proposed regulations.

All interested parties may submit written comments prior to the hearing to the address above. All interested parties also will be given a reasonable time, not to exceed five minutes, to present their views orally or in writing concerning the adoption of the proposed regulations. Following the hearing, all written and oral comments submitted will be considered by the board prior to adoption.

Mary Ann Gabel Executive Director

Board of Regents

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 9 a.m. Friday, January 15, in the boardroom of the State Board of Regents, Suite 609, Capitol Tower, 400 S.W. 8th, Topeka, to consider the adoption of amendments to permanent regulations of the State Board of Regents.

All interested parties may submit written comments prior to the hearing to Ted Dy Ayres, General Counsel and Director of Governmental Relations, State Board of Regents, 400 S.W. 8th, Topeka 66603. All interested parties will be given a reasonable opportunity at the hearing to present their views orally on the adoption of the proposed amendments to the regulations. In order to give all parties an opportunity to express their views, it may be necessary to request each participant to limit oral presentation to five minutes.

This 30-day notice constitutes a public comment period for the purpose of receiving written public com-

ments on the proposed regulations.

K.A.R. 88-10-4 and 88-11-5 are being updated and revised. These regulations are intended to implement the requirements of K.S.A. 1991 Supp. 74-4925. The regulations set forth various requirements and guidelines for making voluntary tax-sheltered annuities available to certain employees of the State Board of Regents. K.A.R. 88-10-4 and K.A.R. 88-11-5 have been revised to add a minimum threshold requirement of prospective participants before a company can be added to the list of companies eligible to offer voluntary tax-sheltered annuity plans to certain employees of the State Board of Regents.

It is anticipated that this requirement may make it more difficult for companies to be added to the list. However, it is not believed that any employee will be unduly limited relative to investment opportunities and/or choice of voluntary tax-sheltered annuity

products.

It is not expected that there will be any increase in costs to the Board of Regents or the institutions governed by the board. No other costs to the public are anticipated.

Copies of the proposed regulations and the economic impact statement may be obtained by contacting Ted D. Ayres at the address above, (913) 296-3689.

Ted D. Ayres General Counsel

Doc. No. 012818

State of Kansas

Kansas Sentencing Commission

Notice of Meeting

The Kansas Sentencing Commission will meet at 10 a.m. Monday, December 14, in Room 519-South, State Capitol, Topeka.

Julie Mayer Office Specialist

Doc. No. 012815

State of Kansas

Board of Regents

Request for Bids for Oil and Gas Lease

Public notice is hereby given that under authority of K.S.A. 76-164 through 76-168, the State Board of Regents has determined that certain lands in Morton County, Kansas, owned by Kansas State University, such tracts consisting of approximately 640 acres, are valuable for leasing for the purpose of the production of oil and gas and that such land can be leased for such purpose. The board intends to lease the lands described as:

The Southwest Quarter (SW/4) of Section Twentysix (26), Township Thirty-four (34) South, Range Forty-three (43) West, Morton County, Kansas.

The terms and conditions prescribed by the board of such leasing, and the provisions for the competitive bids in accordance with law for the same and other matters incidental thereto, are contained in a resolution passed by the board on November 19 and contained in the minutes of the board, which minutes and resolution are open to public inspection in the office of the State Board of Regents, Suite 609, Capitol Tower, 400 S.W. 8th, Topeka 66603. Copies may be obtained by application to Ted D. Ayres, General Counsel and Director of Governmental Relations, State Board of Regents.

Competitive bids for leasing of the land will be received by the board until 8 a.m. February 18. No bids will be received after said date and hour, and any bids received will be thereafter considered by the board. Any lease or leases entered into by the board will be awarded by the board to the highest, responsible bidder, provided that the board reserves the right to reject

any and all bids.

Bids should be addressed to the State Board of Regents and sent to or deposited with the general counsel and director of governmental relations of the board. On the outside of the envelope containing bids should be plainly written the words "Bid on Oil and Gas Lease." Only such bids as shall be in substantial conformity with the terms and provisions of the aforesaid resolution will be considered or accepted by the board.

Stanley Z. Koplik Executive Director

Department of Administration Division of Purchases

Notice to Bidders

Sealed bids for items hereinafter listed will be received by the Director of Purchases, Landon State Office Building, 900 S.W. Jackson, Room 102, Topeka, until 2 p.m. local time on the date indicated, and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information.

Monday, December 21, 1992

29012

Statewide-Specialized laboratory chemicals

29335

Department of Social and Rehabilitation Services— Janitorial services, Lawrence

29340

Regents—Microcomputers

945471

Emporia State University—Furnish and install "SS" sink photographic processing system

94577

Kansas State University—Contaminated soil removal

Tuesday, December 22, 1992

A-6986

Youth Center at Atchison—Reroof Bert Nash School

A-7059

Fort Hays State University—Swimming pool repair, Cunningham Hall

A-7061

Kansas State University—Water line connections, Jardine, Denison and Kimball

29328

Kansas Correctional Industries—Lead free paint pigment

29329

Kansas Correctional Industries—Alkyd resin for traffic paint

29330

Kansas Correctional Industries—1-gallon and 5-gallon polyethylene containers

29333

University of Kansas—February (1993) meat products

29334

University of Kansas Medical Center—February (1993) meat products

29337

Statewide—Dietary pharmaceuticals

29338

Statewide—February (1993) meat products

94573

Kansas State University—Turf vehicles

94574

Department of Transportation—Aggregate, various locations

94576

Department of Transportation—Aggregate, Olathe

94597

Department of Transportation—Aggregate, Jefferson County

94598

Department of Transportation—Aggregate, Beattie 94599

Ellsworth Correctional Facility—Convection ovens

University of Kansas—Lab equipment

94603

Department of Health and Environment—Printing of game board and pieces

94604

University of Kansas Medical Center—Stereotaxic equipment radio frequency lesion generator

94605

University of Kansas Medical Center—Stress monitor/treadmill

94606

University of Kansas Medical Center—UV-VIS HPLC system

94607

Kansas State University—Paratransit van

94609

Department of Wildlife and Parks—Native grass seed

Tuesday, December 29, 1992

20220

University of Kansas—Locks and parts

Monday, January 4, 1993

29341

University of Kansas-Aircraft insurance

Tuesday, January 5, 1993

94608

Pittsburg State University—Terminate fiber optic cables

Monday, January 11, 1993

20336

Winfield State Hospital and Training Center— Lease of land, Stafford County

> Jack R. Shipman Director of Purchases

(Published in the Kansas Register, December 10, 1992.)

Notice of Bond Sale \$2,300,000 Unified School District 449 Leavenworth County, Kansas General Obligation Bonds Series A1992

Sealed Bids

Sealed bids for the purchase of \$2,300,000 principal amount of General Obligation Bonds, Series A1992, of the Unified School District No. 449 of Leavenworth County, Kansas, hereinafter described, will be received by the undersigned, district clerk of Unified School District No. 449, Leavenworth County, Kansas on behalf of the governing body of the district at the district's administrative offices, 32502 Easton Road, Easton, Kansas, until 3 p.m. C.S.T. on Wednesday, December 16, 1992. All bids will be publicly opened and read at said time and place and will be acted upon by the district immediately thereafter. No oral or auction bids will be considered.

Bond Details

The bonds will consist of fully registered bonds without coupons in the denomination of \$5,000 or any integral multiple thereof. The bonds will be December 1, 1992, and will become due serially on September 1 in the years as follows:

Year	Principal Amount
1994	\$ 60,000
1995	65,000
1996	70,000
1997	75,000
1998	80,000
1999	85,000
2000	90,000
2001	95,000
2002	100,000
2003	105,000
2004	110,000
2005	115,000
2006	125,000
2007	130,000
2008	140,000
2009	150,000
2010	160,000
2011	170,000
2012	180,000
2013	195,000

The bonds will bear interest at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning on March 1, 1994.

Place of Payment and Bond Registration

The principal of and interest on the bonds will be payable in lawful money of the United States of America by check or draft of the Kansas State Treasurer, Topeka, Kansas (the paying agent and bond registrar).

The principal of the bonds will be payable at maturity or upon earlier redemption to the registered owners upon presentation and surrender of the bonds at the office of the paying agent. Interest on the bonds will be paid by check or draft mailed by the paying agent to the persons in whose names the bonds are registered on the registration books maintained by the bond registrar at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date.

The district will pay for the fees of the bond registrar for registration and transfer of the bonds and will also pay for printing a reasonable supply of registered bond blanks. Any additional costs or fees that might be incurred in the secondary market, other than fees of the bond registrar, will be the responsibility of the

bondholders.

Redemption of Bonds Prior to Maturity

At the option of the district, bonds maturing on September 1, 2004, and thereafter will be subject to redemption and payment prior to maturity on September 1, 2003, and thereafter in whole or in part on any interest payment date (bonds of less than a single maturity to be selected by lot in multiples of \$5,000 principal amount by the paying agent and bond registrar in such equitable manner as it shall designate), at the principal amount thereof, plus accrued interest to the redemption date, without premium.

Whenever the district is to select the bonds for the purpose of redemption, it shall, in the case of bonds in denominations greater than \$5,000, if less than all of the bonds then outstanding are to be called for redemption, treat each \$5,000 of face value of each such fully registered bond as though it were a separate

bond of the denomination of \$5,000.

If the district shall elect to call any bond for redemption and payment prior to the maturity thereof. the district shall give written notice of its intention to redeem and pay said bonds on a specified date, the same being described by number and maturity, said notice to be mailed by United States certified mail addressed to the paying agent and bond registrar, and to the manager or managers of the underwriting account making the successful bid, each of said notices to be mailed at least 30 days prior to the redemption date. Thereafter the paying agent and bond registrar will notify the owners of the bonds of the district's redemption call by United States mail, postage prepaid. If any bond be called for redemption and payment as aforesaid, all interest on such bond shall cease from and after the date for which such call is made, provided funds are available for its payment at the price hereinbefore specified.

Conditions of Bids

Proposals will be received on the bonds bearing such rate or rates of interest as may be specified by the bidders, subject to the following conditions: The same rate shall apply to all bonds of the same maturity. Each interest rate specified shall be a multiple of ½ or ½ of 1 percent. No interest rate shall exceed the

index of treasury bonds published by The Bond Buyer, successor to MuniWeek, in New York, New York, on the Monday next preceding the day on which the bonds are sold, plus 2 percent. The difference between the highest rate specified and the lowest rate specified shall not exceed 2 percent. No supplemental interest payments will be authorized. No bid of less than the principal amount of the bonds and accrued interest will be considered. Each bid shall specify the total interest cost to the district during the life of the bond issue on the basis of such bid, the premium, if any, offered by the bidder, and the net interest cost to the district on the basis of such bid. Each bid shall also specify the average annual net interest rate to the district on the basis of such bid. Bidders shall specify in the bid form the prices (exclusive of accrued interest), expressed as a dollar price, at which the bidder intends that each maturity amount of the bonds shall be initially offered to the public (the initial reoffering prices).

Basis of Award

The award of the bonds will be made on the basis of the lowest net interest cost to the district, which will be determined by subtracting the amount of the premium bid, if any, from the total interest cost to the district. If there is any discrepancy between the net interest cost and the average annual net interest rate specified, the specified net interest cost shall govern and the interest rates specified in the bid shall be adjusted accordingly. If two or more proper bids providing for identical amounts for the lowest net interest cost are received, the district shall determine which bid, if any, shall be accepted, and its determination shall be final.

Security for the Bonds

The bonds will be general obligations of the district payable as to both principal and interest for the district's general obligation bonds from ad valorem taxes which may be levied without limitation as to rate or amount on all the taxable tangible property, real and personal, within the territorial limits of the district.

Internal Revenue Code of 1986

The Internal Revenue Code of 1986 imposes requirements on the district which must be met subsequent to the issuance of the bonds by the district and, as a result, the district will and does hereby covenant that it will diligently undertake those steps necessary to maintain the tax-exempt status of the bonds. The district's failure to comply with such requirements could adversely affect the tax-exempt status of the bonds. Purchasers of the bonds should be aware that should the bonds lose their status as tax-exempt obligations as a result of the district's failure to comply with such requirements, the bonds are neither callable nor will the rate of interest on the bonds be adjusted to reflect such circumstances.

The code includes interest on tax-exempt obligations, such as the bonds, in the adjusted current earnings of certain corporations in the calculation of alternative minimum taxable income, with certain other adjustments. Furthermore, Section 59A of the code, as added

by the Superfund Amendments and Reauthorization Act of 1986, provides for a new environmental tax generally based on corporate alternative minimum taxable income. The amount of the tax is equal to 0.12 percent of the excess of alternative minimum taxable income, without regard to net operating losses and the deduction for this tax, over \$2 million. The environmental tax is imposed whether or not the taxpayer is subject to the alternative minimum tax. The environmental tax may subject certain bondowners to additional taxation for interest earned on the bonds.

The code also requires property and casualty insurance companies to reduce the amount of their deductible underwriting losses by a percentage of the amount of tax-exempt interest received or accrued on such obligations. With the exception of certain "qualified tax-exempt obligations," the code provides that banks and thrift institutions may not deduct any portion of the interest cost of purchasing or carrying tax-exempt obligations such as the bonds. The district does intend to designate the bonds as "qualified tax-exempt obligations" under Section 265 of the code.

Legal Opinion

The bonds will be sold subject to the legal opinion of Nichols and Wolfe Chartered, Topeka, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the district, printed on the bonds and delivered to the successful bidder when the bonds are delivered. Said opinion will also state that in the opinion of bond counsel, assuming continued compliance by the district with the provisions of the resolution authorizing the issuance of the bonds and the code, under existing law, the interest on the bonds is excludable from federal income taxation. Interest on the bonds will also be excludable from the computation of Kansas adjusted gross income.

Delivery and Payment

The district will pay for printing the bonds and will deliver the bonds, without cost to the successful bidder, properly prepared, executed and registered, on or about December 29, 1992, at such bank or trust company in the state of Kansas or greater Kansas City, Missouri, metropolitan area as may be specified by the successful bidder. Delivery elsewhere will be at the bidder's expense. Said bidder will also be furnished with a certified transcript of the proceedings evidencing the authorization and issuance of the bonds and the usual closing documents, including a certificate that there is no litigation pending or threatened at the time of delivery of the bonds affecting their validity and a certificate regarding the completeness and accuracy of the official statement. Payment for the bonds shall be made in Federal Reserve funds, immediately subject to use by the district. The denominations of the bonds and the names, addresses and Social Security or taxpayer identification numbers of the registered owners shall be submitted in writing by the successful bidder to the district and bond registrar not later than 3 p.m. C.S.T. on December 18, 1992. In the absence of such information, the district will deliver bonds in the denomination of each maturity registered in the name of the successful bidder.

The successful bidder shall furnish the district by 11 a.m. C.S.T. on December 17, 1992, a certificate acceptable to the district's bond counsel to the effect that (i) the successful bidder has made a bona fide public offering of the bonds at the initial reoffering prices, and (ii) a substantial amount of the bonds was sold to the public (excluding brokers and other intermediaries) at such initial reoffering prices. Such certificate shall state that: (1) it is made on the best knowledge, information and belief of the successful bidder, and (2) 10 percent or more in par amount of the bonds of each maturity was sold to the public at or below the initial reoffering prices (such amount being sufficient to establish the sale of a "substantial amount" of the bonds).

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$46,000, payable to the order of the district to secure the district from any loss resulting from the failure of the bidder to comply with the terms of the bid. No interest will be paid upon the deposit made by the successful bidder. Said check shall be returned to the bidder if the bid is not accepted. If a bid is accepted, said check shall be held by the district until the bidder shall have complied with all of the terms and conditions of this notice, at which time said check shall be returned to the successful bidder or deducted from the purchase price at the option of the district. If a bid is accepted but the district shall fail to deliver the bonds to the bidder in accordance with the terms and conditions of this notice, said check shall be returned to the bidder. If a bid is accepted but the bidder shall default in the performance of any of the terms and conditions of this notice, the proceeds of such check shall be forfeited to the district with the district reserving the right to pursue any consequential damages arising from such default.

CUSIP Numbers

CUSIP identification numbers will be printed on the bonds, but neither the failure to print such number on any bond nor any error with respect thereto shall constitute cause for failure or refusal by the purchaser thereof to accept delivery of and pay for the bonds in accordance with the terms of this notice. All expenses in relation to the assignment and printing of CUSIP numbers on the bonds will be paid by the district.

Bid Forms

All bids must be made on forms which may be procured from the district clerk. No additions or alterations in such forms shall be made and any erasures may cause rejection of any bid. The district reserves the right to waive irregularities and to reject any or all bids.

Submission of Bids

Bids must be submitted in sealed envelopes addressed to the undersigned district clerk and marked "Proposal for the Purchase of General Obligation

Bonds." Bids may be submitted by mail or delivered in person to the undersigned at the district's administrative office, 32502 Easton Road, Easton, KS 66020, and must be received by the undersigned prior to 3 p.m. C.S.T. on Wednesday, December 16, 1992.

Date and Delivery of Preliminary and Final Official Statement

The district has authorized the preparation and distribution of a preliminary official statement containing information relating to the bonds. The preliminary official statement comprises the final official statement required by Rule 15c2-12 of the Securities and Ex-

change Commission. The preliminary official statement, when amended to include the interest rates specified by the purchaser and the price or yield at which the purchaser will reoffer the bonds to the public, together with any other information required by law, will constitute a "Final Official Statement" with respect to the bonds as that term is defined in Rule 15c2-12. No more than seven business days after the date of the sale, the district will provide without cost to the purchaser such reasonable number of printed copies of the final official statement and further copies, if desired, will be made available at the purchaser's expense. If the sale of the bonds are awarded to a syndicate, the district will designate the senior managing purchaser of the syndicates as its agent for purposes of distributing copies of the final official statement to each participating purchaser. Any purchaser executing and delivering a bid form with respect to the bonds agrees thereby that if the bid is accepted it shall accept such designation and shall enter into a contractual relationship with all participating purchasers for the purpose of assuring the receipt and distribution by each such participating purchaser of the final official statement.

The district will deliver to the purchaser on the date of delivery of the bonds a certificate executed by the president and the district clerk to the effect that the final official statement, as of the date of delivery of the bonds, does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements made, in the light of the circumstances in which they are made, not misleading.

Copies of the district's preliminary official statement relating to the bonds may be obtained from the district clerk, Unified School District 449, 32502 Easton Road, Easton, KS 66020, (913) 651-9740, or the district's financial advisor, B. C. Christopher, a division of Fahnestock & Co., Inc., 4717 Grand Ave., Suite 800, Kansas City, MO 64112, (816) 932-7121.

Assessed Valuation and Indebtedness

The total assessed valuation of the taxable tangible property within the district for the year 1992 \$15,952,487. The total general obligation bonded indebtedness of the district as of the date of the bonds, including the bonds, is \$2,300,000.

Dated December 10, 1992.

Tom Winkelbauer, District Clerk

(Published in the Kansas Register, December 10, 1992.)

Summary Notice of Bond Sale City of Inman, Kansas \$220,000

General Obligation Waterworks Bonds, Series 1993

(general obligation bonds payable from unlimited ad valorem taxes)

Sealed Bids

Subject to the notice of bond sale dated December 9, 1992, sealed bids will be received by the city clerk of Inman, Kansas (the issuer), on behalf of the governing body at City Hall, 104 N. Main, Inman, KS 67546, until 4 p.m. C.S.T. on December 21, 1992, for the purchase of \$220,000 principal amount of General Obligation Waterworks Bonds, Series 1993. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated January 1, 1993, and will become due on December 1 in the years as follows:

Year	Principal Amous
1993	\$20,000
1994	20,000
1995	20,000
1996	20,000
1997	20,000
1998	20,000
1999	20,000
2000	20,000
2001	20,000
2002	20,000
2003	20,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on June 1 and December 1 in each year, beginning on June 1, 1993.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$4,400 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before January 21, 1993, at such bank or trust company in the contiguous United States of America as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1992

is \$3,913,262. The total general obligation indebtedness of the issuer as of the date of the bonds, including the bonds being sold, is \$470,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, a Professional Corporation, Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer, printed on the bonds and delivered to the successful bidder as and when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the city clerk, (316) 585-2122, or from the city attorney, Robert F. Stover, 218 N. Ash St., McPherson, KS 67460, (316) 241-3443.

Dated December 9, 1992.

City of Inman, Kansas

Doc. No. 012823

(Published in the Kansas Register, December 10, 1992.)

Summary Notice of Bond Sale Unified School District 232 Johnson County, Kansas (De Soto) \$9,000,000

General Obligation School Building Bonds Series 1992

(general obligation bonds payable from unlimited ad valorem taxes)

Sealed Bids

Subject to the notice of bond sale dated November 30, 1992, and the preliminary official statement, sealed bids will be received by the clerk of Unified School District 232, Johnson County, Kansas (the issuer), on behalf of the governing body at the district's administrative offices, 8305 Peoria, De Soto, KS 66018, until noon C.S.T. on Thursday, December 17, 1992, for the purchase of \$9,000,000 principal amount of General Obligation School Building Bonds, Series 1992. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated December 1, 1992, and will become due on March 1 in the years as follows:

Year	Principal Amount
1994	\$125,000
1995	265,000
1996	285,000
1997	305,000
1998	325,000
1999	345,000
2000	360,000
	/asartia

2001		380,000
2002		400,000
2003		420,000
2004		440,000
2005		465,000
2006		495,000
2007	and the same of the	520,000
2008		555,000
2009		585,000
2010		625,000
2011		660,000
2012	Artist Control	700,000
2013		745,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning on March 1, 1994.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$180,000 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before December 30, 1992, at such bank or trust company as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1992 is \$59,527,809. The total general obligation indebtedness of the issuer as of the date of the bonds, including the bonds being sold, is \$9,000,000; except for the bonds being sold, the issuer has no general obligation bond indebtedness, but the voters in the issuer have authorized an additional \$5,725,000 of bonds which are expected to be issued during 1993.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, Kansas City, Missouri, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer, printed on the bonds and delivered to the successful bidder as and when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the financial advisor, B.C. Christopher Securities Co., 4717 Grand Ave., Suite 700, Kansas City, MO 64112, Attention: Bill Tschudy, (816) 932-7000.

Dated November 30, 1992.

Charlene Braley, Clerk

Doc. No. 012809

State of Kansas

Kansas State Library

Permanent Administrative Regulations

Article 1.—REGIONAL SYSTEMS OF COOPERATING LIBRARIES

54-1-23. Allocation of the grant-in-aid fund among the regional systems of cooperating libraries. (a) The system grant-in-aid distribution specified by K.S.A. 75-2555, shall allocate a base grant of equal size to each regional library system.

(b) The remainder of each annual authorization shall allocated using a formula with the following two

actors:

(1) one-fourth of the population of the system territory; and

(2) the total square miles of the system territory.

(c) The base grant component of the distribution shall be increased or decreased by an amount determined using the following calculations:

(1) Determine the percent of change in the total annual authorization from the prior fiscal year to the

current fiscal year; and

- (2) Multiply the percent determined under paragraph (1) by the difference between the total annual authorization in the prior fiscal year and the total annual authorization in the current fiscal year. This amount shall be added to the base grant component in those years when the authorization has been increased or subtracted from the base grant component when the authorization has been decreased.
- (3) This method of allocation between the base and formula components shall be followed until the two components are equal.

(4) Future increases in the authorization shall then be equally divided between the base and formula

components.

(d) In any year that the total annual authorization is decreased to, or below, the level of the 1989 amount, the fund shall be divided equally among the systems. (Authorized by and implementing K.S.A. 75-2555; effective Jan. 25, 1993.)

Duane Johnson State Librarian

Board of Agriculture

Permanent Administrative Regulations

Article 4.—COMMERCIAL FERTILIZERS

4-4-900. Definitions. (a) "Primary containment" means the storage of liquid bulk fertilizer in approved storage containers at any storage facility.

(b) "Liquid fertilizer" means fertilizer in liquid form including solutions, emulsions, suspensions and slurries. The term "liquid fertilizer" does not include an-

hydrous ammonia.

(c) "Storage container" means any container used for the storage of liquid bulk fertilizer, including any rail car, nurse tank or other mobile container used for the storage of liquid bulk fertilizer. Storage container shall not include:

(1) Any mobile container storing liquid bulk fertilizer at a storage facility for less than 15 days, when this storage is solely incidental to the loading or unloading

of a storage container at a storage facility;

(2) Any mobile container located for a period not to exceed 90 calendar days on property which is not owned, operated or controlled by the owner or operator of a storage container; or

(3) Any container used solely for emergency storage

of leaking fertilizer.

- (d) "Storage facility" means any location at which bulk liquid fertilizer or dry fertilizer, either bulk or bagged, is held in storage. A storage facility shall include the entire contiguous tract of land upon which fertilizer materials are loaded, unloaded, mixed, blended or stored.
- (e) "Secondary containment" means any structure, temporary or permanent, including but not limited to dikes and elephant rings, used to capture and contain fertilizer or fertilizer materials which have been discharged from a primary containment structure and designed to prevent runoff or leaching of the discharged fertilizer materials into the groundwater.

(f) "Discharged fertilizer" means any fertilizer or fertilizer material which has dripped, spilled, leaked or overflowed from the primary containment structure or storage container or appurtenance, pipeline or hose

connected thereto.

(g) "Appurtenance" means any device used in connection with a storage container, secondary containment area, structure or device, primary containment structure or device, or storage for dry fertilizer, including safety devices, liquid level gauging devices, valves, pipes, hoses, fittings, and measuring or dispensing devices.

(h) "Elephant ring" means an open top storage container which serves as a secondary containment vessel into which a smaller primary storage container has

been placed.

(i) "Secretary" means the secretary of the Kansas state board of agriculture or the secretary's authorized representative.

- (j) "Alternative design" means any process or technique for either primary or secondary containment which has been approved by the secretary pursuant to K.A.R. 4-4-956. (Authorized by and implementing K.S.A. 2-1227; effective Jan. 14, 1991; amended Jan. 25, 1993.)
- 4-4-923. Existing storage tanks which have a capacity of 100,000 gallons or more. (a) Liquid fertilizer storage containers with a capacity of 100,000 gallons or more shall be located within an approved secondary containment area designed to allow the containment and recovery of any discharged fertilizer material.
- (b) Unless otherwise approved pursuant to K.A.R. 4-4-956, the surface supporting the storage container shall be elevated above the surrounding surface of the containment area so that the lowest point of the storage container shall be at least six inches above the surrounding surface of the containment area to permit visual identification of any leaks which may develop in the floor of the storage container.

(c) This regulation shall apply to all storage containers with a capacity of 100,000 gallons or more which were placed in service on or before January 13, 1991. (Authorized by and implementing K.S.A. 2-1227; effective Jan. 14, 1991; amended Jan. 25, 1993.)

4.4.924. Storage tanks which have a capacity of 100,000 gallons or more; new construction. (a) This regulation shall apply to all storage containers with a capacity of 100,000 gallons or more which are constructed or placed in service on or after the effective date of this regulation.

(b) Liquid fertilizer storage containers with a capac-

ity of 100,000 gallons or more shall be:

(1) located within an approved secondary containment area designed to allow the containment and recovery of any discharged fertilizer material; and

(2) placed on a surface which has been sealed with asphalt, concrete, attapulgite clay, sodium bentonite,

or other material approved by the secretary.

(c) The bottom surface of the storage container shall be elevated above the surrounding surface of the containment area so that the lowest point of the storage container shall be at least six inches above the sealed surface to permit installation of a leak detection system.

(d) The leak detection system shall consist of:

(1) three or more perforated pipes or tile which shall: (A) be placed on the sealed surface and below the storage container;

(B) be placed parallel to each other on not more than

10 foot centers; and

(C) extend to the outer edge of both sides of the tank; or

(2) any other leak detection system approved by the

secretary.

(e) Unless otherwise approved pursuant to K.A.R. 4-4-956, each storage container shall be located in a secondary containment area which has been designed to permit both visual and sampling access to the leak detection system described in paragraph (d) of this (continued)

regulation. (Authorized by and implementing K.S.A. 2-1227; effective Jan. 14, 1991; amended Jan. 25, 1993.)

4-4-931. Approved secondary containment of bulk fertilizer; general requirements. (a) Primary containment of liquid bulk fertilizer shall be located within a secondary containment area. Diked areas shall be constructed with a base, perimeter wall and sloped floor drain, except as provided by K.A.R. 4-4-934.

(b) The diked secondary containment area for fluid bulk fertilizer shall be physically separated and distinct from any secondary containment area for pesticides or other nonfertilizer materials; however adjoining secondary containment areas may share common walls.

(c) The diked area for secondary containment of storage facilities shall be able to contain, below the height of the dike, at least 110% of the capacity of the largest storage container plus the volume displaced by all other storage containers, fixtures, and materials located within the diked area.

(d) All pumps used for handling liquid fertilizer shall be located within the secondary containment structure or area.

(e) Except where used as a method of monitoring a secondary containment system, drainage within or underlying the area to be diked shall be eliminated.

(f) This regulation shall apply to:

(1) each storage facility in existence on the effective date of this regulation which has a total storage ca-

pacity of 5,000 gallons or more;

(2) each storage facility in existence on the effective date of this regulation which has a total storage capacity of 2,000 gallons or more and less than 5,000 gallons where 125 tons or more of liquid fertilizer is received into or transferred out of one or more storage containers located at the storage facility during any period of 365 consecutive days; and

(3) each storage facility which was not in existence on the effective date of this regulation and which has a total storage capacity of 2,000 gallons or more. (Authorized by and implementing K.S.A. 2-1227; effective

Jan. 14, 1991; amended Jan. 25, 1993.)

4.4-932. Secondary containment requirements; walls. (a) The walls of each secondary containment facility shall be constructed of earth, steel, concrete, solid masonry or any other material approved by the secretary, and be designed to withstand a full hydrostatic head of any discharged fluid and weight load of material used in construction.

(b) All cracks, joints, and seams shall be sealed to

prevent leakage.

(c) Walls constructed of earth or other permeable materials shall be lined as provided in K.A.R. 4-4-933.

(d) Earthen walls shall have a horizontal-to-vertical slope of at least three to one, unless a steeper slope is consistent with good engineering practice, and shall be packed and protected from erosion. An exterior slope of 30 degrees or less shall be protected with grass or crushed stone. Slopes greater than 30 degrees and all interior slopes shall be protected with flat road stone or a similar crushed stone material.

(e) Walls shall not exceed six feet in height above interior grade unless provisions are made for normal

access, necessary emergency access to tanks, valves and other equipment, and safe exit from the secondary containment facility.

containment facility.

(f) Walls constructed of concrete or solid masonry shall rest upon a floating base of concrete prepared as required in K.A.R. 4-4-933 or upon suitable concrete footings which extend below the average frost depth to provide structural integrity. (Authorized by and implementing K.S.A. 2-1227; effective Jan. 14, 1991; amended Jan. 25, 1993.)

4-4-933. Secondary containment requirements; lining. (a) General requirement. The base of a secondary containment facility, and any earthen walls of the facility shall be lined with asphalt, concrete, an approved synthetic liner, a clay soil liner, or other product approved by the secretary, designed to limit permeability of the base and walls. Liners shall meet the requirements of this regulation.

(b) Asphalt or concrete liners. Asphalt or concrete liners shall be designed, according to good engineering practices, to withstand any foreseeable loading conditions, including a full hydrostatic head of discharged fluid and static loads of storage containers, including appurtenances, equipment, and contents. Cracks and

seams shall be sealed to prevent leakage.

(c) Synthetic liners.

(1) All synthetic liners and installation plans shall be approved by the secretary. Until the manufacturer of the synthetic liner provides the secretary with a written confirmation of compatibility and a written estimate of the life of the liner, no approval shall be given.

(2) Synthetic liners shall not react either chemically or electrolytically with the materials being stored

within the storage facility.

(3) Synthetic liners shall be installed according to the manufacturer's specifications. All field constructed seams shall be tested and repaired, if necessary, in accordance with the manufacturer's recommendations.

(d) Clay soil liners. The surface soil, including the berm of an earthen dike and 10 feet beyond the berm, shall be sealed with a sealing agent such as sodium bentonite, attapulgite clay or a similar clay material approved by the secretary. The liner shall be constructed in accordance with reliable civil engineering recommendations to establish a barrier layer which will maintain a water level up to the working height of the containment structure for 72 hours, or a clay application which results in a downward water movement of not greater than one-half of an inch per 24 hour period. The floor of the containment area shall be protected with a layer of gravel, sand, earth or crushed stone at least six inches thick placed on top of the clay liner.

(e) Exceptions.

(1) A liner need not be installed directly under a storage container with a capacity of 100,000 gallons or more that has been constructed on site and put into use prior to the effective date of this regulation if all of the following conditions are met:

(A) A second bottom made of steel or other material approved by the secretary is constructed for the storage container, placed over the original bottom, and topped with a layer of smooth, fine gravel or coarse sand at least six inches thick;

(B) the original bottom of the storage container is tested for leaks before the sand layer or second bottom, as described in (A) are installed; and

(C) the newly constructed bottom is tested for leaks before any fluid fertilizer is stored in the storage container;

(D) records of the tests described in (B) and (C) are kept on file at the storage facility, or at the nearest local office from which the storage facility is administered; and

(E) a method to readily detect leaks from the newly constructed bottom into the sand layer is in place.

(2) The secondary containment requirements in this regulation shall not apply to rail cars which are periodically removed from the storage facility. (Authorized by and implementing K.S.A. 2-1227; effective Jan. 14, 1991; amended Jan. 25, 1993.)

4-4-934. Use of elephant rings for secondary containment. (a) Individual storage containers may be contained within an elephant ring as an alternative to a diked containment area. The elephant ring shall serve as a second containing wall in the event that the primary storage container develops a leak. The elephant ring shall be designed and installed to withstand a full hydrostatic head from the fluid stored in the enclosed primary storage container and all other stresses reasonably foreseeable from secondary containment of stored fertilizer:

(b) Both the primary storage container and the elephant ring shall be fabricated of materials compatible with each other and which do not react either chemically or electrolytically the fertilizer being stored. Use of any combination of metals or other materials which contribute to chemical or electrolytic corrosion is

prohibited.

(c) The height of the elephant ring wall shall not exceed six feet. The volume contained within the secondary storage walls up to the working height of the elephant ring shall be sufficient to contain a volume of 110% of the volume contained in the primary storage container plus the volume displaced by the footings of any equipment such as pumps, meter or other devices, placed within the secondary containment vessel.

(d) The elephant ring shall be free of leaks and structural defects. The base of the elephant ring shall be protected from corrosion, both from inside and out-

side, and underlain:

(1) by a concrete pad; or

(2) with eight inches of compacted gravel beneath four inches of compacted sand; or

(3) as recommended by the manfuacturer of the el-

ephant ring and approved by the secretary.

(e) All piping connections to the primary storage container shall be made over the wall of the elephant ring and adequately supported and braced. Pumps and other fixtures, if located within the elephant ring containment structure, shall be placed on an elevated platform.

- (f) Accumulations of storm water and other material shall be pumped over the wall of the elephant ring by a sump pump within the secondary container, or by an exterior pump, and disposed of according to K.A.R. 4-4-935.
- (g) Inspection and maintenance of the primary storage container and of the elephant ring shall be conducted as required by K.A.R. 4-4-920, and records of inspections and maintenance shall be made and maintained as required by K.A.R. 4-4-921. (Authorized by and implementing K.S.A. 2-1227; effective Jan. 14, 1991; amended Jan. 25, 1993.)
- 4-4-935. Drainage from contained areas within secondary containment. (a) Earthen or prefabricated containment area. An earthen or prefabricated containment area shall not have a relief outlet and valve. The base shall slope to a collecting spot where storm water can be discharged by pump over the berm for use in the blending process or for proper disposal in accordance with local requirements for disposal of storm water.

(b) Asphalt or concrete lined areas.

(1) An asphalt or concrete lined area shall have a recessed catch drain running through the center of the base or a sump as provided for in K.A.R. 4-4-936.

(2) The catch drain shall be at least six inches deep

and 12 inches wide with an open grate cover.

(3) The asphalt or concrete slab located beneath the catch drain shall be at least the same thickness below and to the sides of the drain as the base is throughout the contained area and comply with K.A.R. 4-4-933.

(4) The asphalt or concrete base shall slope to the drain, and the drain shall slope to a discharge valve

at the edge of the dike.

(5) The discharge valve shall be closed and secured except when used as permitted by K.A.R. 4-4-905.

- (6) The discharge valve shall drain to an underground concrete sump. A self-priming recovery pump shall be used to move all materials from the sump to alternate storage. The sump tank shall not be used as a permanent storage container. It shall be pumped periodically to remove any water, fertilizer material or both which it collects.
- (7) Precipitation may be used for make-up water in fertilizer mixes or disposed of in accordance with local requirements if it is compatible with fertilizer materials being handled at the storage facility.

(c) Other areas.

(1) Earthen areas which are not lined with asphalt or concrete shall be lined with a synthetic liner ap-

proved by the secretary.

(2) Earthen areas lined with a synthetic liner shall be constructed as required in subsections (1) through (7) inclusive of section (b) of this regulation. (Authorized by and implementing K.S.A. 2-1227; effective Jan. 14, 1991; amended Jan. 25, 1993.)

4-4-956. Alternative designs for secondary containment. (a) To allow for changes and improvements in fertilizer containment technology, the Board may approve an alternative design for any fertilizer containment process or technique which does not other—

(continued)

wise fall within the specific provisions of K.A.R. 4-4-900 et seq., provided the applicant provides sufficient proof satisfactory to the secretary that the process or technique will meet or exceed the requirements contained in K.A.R. 4-4-900 et seq.

(b) Each application for approval of an alternate de-

sign shall include:

(1) plans required by K.A.R. 4-4-900 et seq.;

(2) data from the manufacturer or designer of the proposed fertilizer containment process or technique establishing that the proposed fertilizer containment process or technique will meet or exceed the requirements contained in K.A.R. 4-4-900 et seq.;

(3) a system for detection of leaks or other malfunctions which substantially complies with the provisions of K.A.R. 4-4-900 et seq. as determined by the

secretary; and

(4) any other information required by the secretary.

(c) The Secretary may rely on outside sources for assistance in evaluation of any alternative design application submitted. (Authorized by and implementing K.S.A. 2-1227; effective Jan. 25, 1993.)

Article 8.—NOXIOUS WEEDS

4-8-14a. Definitions. (a) "2,4-D" means (2,4-dichlorophenoxy) acetic acid.

(b) "Picloram" means 4-amino-3, 5, 6-trichloro-2-

pyridinecarboxylic acid.

- (c) "Dicamba" means 3,6-dichloro-2-methoxybenzoic
- (d) "Glyphosate" means N-(phosphonomethyl) glycine.
- (e) "Fosamine" means ethyl hydrogen (aminocarbonyl) phosphonate.
- (f) "Bromacil" means 5-bromo-6-methyl-3-(1-methylpropyl)-2,4(1H,3H)pyrimidinedione.
 - (g) "MSMA" means monosodium methanearsonate.
- (h) "Sulfometuron" means 2-[[[[(4,6-dimethyl-2-pyrimidinyl)amino]carbonyl] amino]sulfonyl]benzoic acid.
- (i) "Chlorsulfuron" means 2-chloro-N-[[(4-methoxy-6-methyl-1,3,5-triazin-2-y1)amino]

carbonyl]benzenesulfonamide.

- (j) "Trifluralin" means 2,6-dinitro-N,N-dipropyl-4-(trifluoromethyl)benzenamine.
- (k) "Fluazifop-P-Butyl" means (R)-butyl 2-[4[[5-(tri-fluoromethyl)-2-pyridinyl]oxy]phen-oxy]propanoate.

(l) "Sethoxydim" means 2-[1-(ethoxyimino)butyl]-5-[2-(ethylthio)propyl]-3-hydroxy-2-cyclohexen-1-one.

- (m) "Imazapyr" means (\pm) -2-[4,5-dihydro-4-methyl-4-(1-methylethyl)-5-oxo-1H-imidazol-2-yl]-3-pyridine-carboxylic acid.
- (n) "Triclopyr" means [(3,5,6-trichloro-2-pyridinyl)oxylacetic acid.
- (o) "Tebuthiuron" means N-[5-(1,1-dimethylethyl)-1,3,4-thiadiazol-2-y1]-N,N'-dimethylurea.
- (p) "Metsulfuron Methyl" means methyl 2-[[[[(4-methoxy-6-methyl-1,3,5-triazin-2-y1)amino]carbonyl]amino]sulfonyl]benzoate.
- (q) "Fenoxaprop-ethyl" means (+)-ethyl 2-[4-[(6-chloro-2-benzoxazolyl)oxy]phenoxy]propanoate.

- (r) "Clopyralid" means (3,6-dichloro-2-pyridinecarboxylic acid). (Authorized by and implementing K.S.A. 2-1315; effective Oct. 21, 1991; amended Jan. 25, 1993.)
- **4-8-28.** Adoption by reference. Control practices contained in the "Official Johnsongrass Control Program" published by the Kansas state board of agriculture on July 28, 1992 is hereby adopted by reference and shall apply to the control and eradication of johnsongrass in the state of Kansas. Copies of this publication are available from the plant health division of the Kansas state board of agriculture, Topeka, Kansas. (Authorized by and implementing K.S.A. 2-1315; effective May 1, 1988; Jan. 25, 1993.)
- **4-8-33.** Adoption by reference. Control practices contained in the "Official Canada Thistle Control Program" published by the Kansas state board of agriculture on July 28, 1992 is hereby adopted by reference and shall apply to the control and eradication of canada thistle in the state of Kansas. Copies of this publication are available from the plant health division of the Kansas state board of agriculture, Topeka, Kansas. (Authorized by and implementing K.S.A. 2-1315; effective May 1, 1988; Jan. 25, 1993.)
- **4-8-40.** Adoption by reference. (a) Control practices contained in the "Official Sericea Lespedeza Control Program" published by the Kansas state board of agriculture on July 28, 1992 are hereby adopted by reference and shall apply to the control and eradication of sericea lespedeza in the state of Kansas.

(b) Copies of this publication are available from the plant health division of the Kansas state board of agriculture, Topeka, Kansas. (Authorized by and implementing K.S.A. 2-1315; effective May 1, 1988; amended Jan. 1, 1989; amended Oct. 29, 1990; amended Oct. 21, 1991; amended Ian. 25, 1992.

1991; amended Jan. 25, 1993.)

Article 10.—ANHYDROUS AMMONIA

4-10-1 Definitions. (a) "Tank" or "container" means any vessel designed and constructed for the storage and handling of anhydrous ammonia.

(b) "Gas" means anhydrous ammonia in either the

gaseous or liquefied state.

(c) "Designed pressure" means maximum allowable

working pressure.

(d) "Appurtenances" means all devices that are used in connection with a container including safety devices, liquid level gauging devices, valves, pressure gauges, fittings and metering or dispensing devices.

(e) "System" means an assembly of equipment consisting essentially of the container or containers, appurtenances, pumps, compressors, and interconnecting

piping.

(f) "Capacity" means the total volume of a container measured in standard U.S. gallons of 231 cubic inches, unless otherwise specified.

(g) "Filling density" means the percent ratio of the weight of gas in a container to the weight of water the container will hold at 60° F.

(h) "F" means Fahrenheit.

(i) "Code" means parts UG-1 through UG-136 inclusive, entitled "general requirements for all methods

of construction and all materials" and parts UF-1 through UF-125, entitled "requirements for pressure vessels fabricated by forging," as published in section VIII, division 1, of the ASME boiler and pressure vessel code, July 1, 1992 edition, as the context requires.

(j) "ASME schedule 80" or "ASME schedule 40" means pipe specifications contained in the "specification for pipe, steel, black and hot-dipped, zinc-coated welded and seamless" and the accompanying appendices, as published in section II, of the ASME boiler and pressure vessel code, July 1, 1992 edition.

(k) "PSIG" means pounds per square inch gauge

pressure.

(l) "ASME" means American society of mechanical

engineers.

(m) "Implement of husbandry" means a farm wagon-type vehicle or application unit which has an anhydrous ammonia container mounted on it and which is used for transporting anhydrous ammonia from a source of supply to farms or fields, or from one farm or field to another.

(n) "Public assembly area" means any building, structure, or area used by a gathering of persons for civic, political, travel, religious, recreational or education purposes, or for the involuntary detention of

persons.

(o) "Non-code welding" means welding which does not comply with parts UW-1 through UW-65, entitled "requirements pertaining to methods of fabrication of pressure vessels," as published in section VIII, division 1, of the ASME boiler and pressure vessel code, July 1, 1992 edition.

(p) "Permanent storage container" means tank or container having a volume of not less than 3,000 water gallons which is used in the sale or dispensing of anhydrous ammonia. The permanent storage container

may be mounted on either piers or skids.

(q) "Permanent storage installation" means any assembly of equipment consisting of appurtenances, pumps, compressors, interconnecting pipes, not at least one permanent storage container. (Authorized by and implementing K.S.A. 2-1212; effective Jan. 1, 1966; amended Jan. 1, 1971; amended Jan. 1, 1973; amended May 1, 1986; amended, T-87-9, May 1, 1986; amended May 1, 1987; amended May 1, 1988; amended Jan. 25, 1993.)

Article 13.—PESTICIDES

4-13-36. Training of registered pest control technicians in wood destroying pest control and structural pest control. (a) All applicants for pest control technician registration in wood destroying pest control or structural pest control shall have completed a minimum of 40 hours of verifiable training, 30 hours of which must consist of supervised application of pesticides in and around structures, and 10 hours of which must be classroom instruction.

(b) Classroom instruction shall include the

following:

(1) The proper use and maintenance of equipment, including calibration, "crack and crevice" and "spot" application, and other application techniques;

(2) the potential dangers involved in applying the

pesticides, including:

(A) hazards to the applicator resulting from mixing, loading and applying pesticides, poisoning prevention, symptoms and first aid for pesticide poisoning;

(B) hazards to the occupants of the structures where pesticides are applied with particular emphasis on chil-

dren, the aged and infirm;

(C) procedures for preventing pesticide contamination of food, groundwater, wells and cisterns, and the

air within the structure being treated;

(D) label review and basic information about each pesticide used for control of wood destroying pests or structural pests, including common names of the pesticides, where and how each pesticide may be applied, and the kinds of pests controlled;

(E) basic information about prevention and cleanup

of spills; and

(F) the use of non-chemical means to control wood

destroying and structural pests.

(3) calculating the concentration of pesticides to be used and the quantities of diluted pesticide necessary

to complete a particular treatment;

- (4) identification of common pests to be controlled and damages caused by such pests as subterranean termites, carpenter ants, wood decaying fungi, German, American and oriental cockroaches, silverfish, fleas, ticks, spiders, pantry pests, house mice, field mice, and Norway rats, the basic characteristics and habits of these pests and conditions that favor structural infestation by these pests;
- (5) protective clothing and equipment including the use and maintenance of rubber gloves and respirators;
- (6) general precautions to be followed in the storage and disposal of pesticide containers and rinsate, as well as the cleaning and decontamination of equipment;
- (7) applicable state and federal pesticide laws and regulations germane to the work of a technician, including but not limited to following label directions, direct supervision, information required on statements of services, and termite control application procedures;
- (8) basic information regarding elements of construction likely to be encountered including heating and plumbing systems and such terms as footing, foundation wall, wall voids, sill plate, joists, subfloor, and slab-on-grade. (Authorized by K.S.A. 2-2467a, implementing K.S.A. 2-2440a; effective, T-88-46, Nov. 10, 1987; effective May 1, 1988; amended Jan. 1, 1989; amended Jan. 25, 1993.)
- 4-13-38. Training of registered pest control technicians in ornamental pest control, turf pest control and interior landscape pest control. (a) All applicants for pest control technician registration in ornamental pest control, turf pest control or interior landscape pest control shall have completed a minimum of 40 hours of verifiable training, 30 hours of which must consist of supervised application of pesticides for the control of ornamental pests, turf pests or interior landscape pests as appropriate, and 10 hours of which must be classroom instruction.
- (b) Classroom instruction shall include the following:

(1) The proper use and maintenance of equipment, including calibration.

(2) the hazards that may be involved in applying

the pesticides, including:

(A) The effect of drift of the pesticides on adjacent and nearby property and on non-target organisms, and methods for preventing drift;

(B) the proper weather conditions for the application

of pesticides and the precautions to be taken;

(C) procedures for preventing pesticide contamination of groundwater, wells and cisterns, surface water,

soil, or the air within a structure;

(D) the effect of the pesticides on humans, plants or animals in the area, including the possibility of damage to plants or animals or the possibility of undesirable or illegal residues resulting on them;

(E) the effect of the application of pesticides on wild-

life in the area, including aquatic life;

(F) the possibility of contamination of water or injury to persons, pets or desirable vegetation;

(G) hazards to the applicator resulting from mixing,

loading and applying pesticides;

(H) poisoning prevention, symptoms and first aid

for pesticide poisoning;

(I) label review and basic information about each pesticide used, including common names of the pesticides, where and how each pesticide may be applied, and the kinds of pests controlled;

(J) basic information about prevention and cleanup

of spills; and

(K) basic information about beneficial insects and the use of non-chemical means to control ornamental pests, turf pests and interior landscape pests.

(3) calculating the concentration of pesticides to be used and the quantities of diluted pesticide necessary

to complete a particular treatment.

(4) identification of common pests to be controlled and damages caused by such pests, as listed below, and the basic characteristics and habits of these pests.

(A) For registered pest control technicians in the field of ornamental pest control, common pests shall include but not be limited to: bagworms, cankerworms, elm leaf beetles, aphids, spider mites, galls and gall-producing insects and diseases, flatheaded and round-headed wood boring beetles, scale insects, cedar-apple rust, anthracnose and powdery mildew.

(B) For registered pest control technicians in the field of turf pest control, common pests shall include but not be limited to: sod webworms, chinch bugs, white grubs, sowbugs, broadleaf weeds such as dandelion, chickweed, and henbit, grasses such as crabgrass, foxtail and annual bluegrass, Helminthosporium leaf spot, Pythium and Fusarium blights, moles and gophers.

(C) For registered pest control technicians in the field of interior landscape control, common pests shall include but not be limited to: whiteflies, mealybugs, scale insects, spider mites, aphids, fungus gnats, snails and slugs, ants, sowbugs, thrips, damping-off, botrytis blight, and powdery mildew;

(5) protective clothing and equipment, including the use and maintenance of rubber gloves and boots, rain-

suits and respirators.

(6) general precautions to be followed in the storage and disposal of pesticide containers and rinsate, as well as the cleaning and decontamination of equipment.

- (7) applicable state and federal pesticide laws and regulations germane to the work of a technician, including following label directions, direct supervision and information required on statements of services. (Authorized by K.S.A. 2-2467a; implementing K.S.A. 2-2440a; effective Jan. 1, 1989; amended Jan. 25, 1993.)
- **4-13-41.** Summary adjudicative hearing procedure. The secretary or, in the secretary's absence, the assistant secretary shall appoint a presiding officer to conduct each summary adjudicative hearing. The hearing procedures shall conform to the provisions of K.S.A. 77-537 through K.S.A. 77-541 inclusive as amended and supplemented. (Authorized by K.S.A. 2-2467a; implementing K.S.A. 2-2449, 2-2451, and K.S.A. 77-513, 77-537, 77-538, 77-539, 77-540, 77-541; effective May 1, 1985; amended Jan. 25, 1993.)
- **4-13-42.** Conference adjudicative procedure. The secretary or, in the secretary's absence, either the assistant secretary or the secretary's designee shall appoint a presiding officer to conduct each conference adjudicative hearing. The hearing procedures shall conform to the provisions of both K.S.A. 77-534 and K.S.A. 77-535 as amended and supplemented. (Authorized by K.S.A. 2-2467a; implementing K.S.A. 2-2449, 2-2451, and K.S.A. 77-513, 77-534, 77-535; effective May 1, 1985; amended Jan. 25, 1993.)
- 4-13-62. Amount of proposed civil penalty. (a) A separate civil penalty shall be assessed for each violation of the pesticide law which results from each independent act or failure to act by any pesticide business licensee or agent or employee thereof. In determining whether a given violation is independent of and substantially distinguishable from any other violation for the purpose of assessing separate civil penalties, consideration shall be given to whether each violation requires an element of proof not required by another violation. Where several violations require the same elements of proof and are not distinguishable, assessment of separate civil penalties shall be within the discretion of the secretary or the secretary's authorized representative.

(b) The amount proposed for each civil penalty shall

be within the ranges listed below.

- (1) For each violation of K.S.A. 2-2453(a) or (b), the proposed civil penalty shall be not less than \$100 nor more than \$5,000.
- (2) For each violation of K.S.A. 2-2454(b) or 2-2454(m), the proposed civil penalty shall be not less than \$100 nor more than \$5,000.

(3) For each violation of K.S.A. 2-2454 not covered in subsection (2) above the proposed civil penalty shall

be not less than \$100 nor more than \$1,000.

(4) For each violation of K.S.A. 2-2453(c) not already covered in subsections (1), (2) or (3) above, the proposed civil penalty shall be not less than \$100 nor more than \$1,000.

(c) For each subsequent occurrence of a violation for which a civil penalty has been assessed within a three-year period, the civil penalty assessed for the subsequent violation shall be the maximum amount for the category listed. (Authorized by K.S.A. 2-2467a; implementing K.S.A. 2-2440e; effective Jan. 1, 1989; amended Jan. 25, 1993.)

4-13-63. Criteria to determine dollar amount of proposed civil penalty. In determining the amount of any proposed civil penalty, the gravity of the violation shall be considered by the secretary or the secretary's designee. Factors to be considered shall include:

(a) The potential of the act to injure humans, pets,

domestic animals, wildlife or the environment;

(b) the severity of potential injuries;(c) the extent to which injury actually occurred;

(d) the respondent's history of compliance with state and federal pesticide laws and regulations promulgated

(e) any action taken by respondent to remedy the specific violation or to mitigate any adverse health effects or environmental effects which were the result of

the violation; and

(f) whether or not the violation involved any misrepresentation or fraud. (Authorized by K.S.A. 2-2467a; implementing K.S.A. 2-2440e; effective Jan. 1, 1989; amended Jan. 25, 1993.)

Article 16.—MEAT AND MEAT PRODUCTS INSPECTION

4-16-1a. Definitions. (a) Each reference to "the act" or "act" in the portions of the code of federal regulations adopted by reference in K.A.R. 4-16-1c shall mean K.S.A. 65-6a18 et seq.

(b) Each reference to "secretary" or to "administrator" in the portions of the code of federal regulations adopted by reference in K.A.R. 4-16-1c shall mean the

secretary of the state board of agriculture.

(c) Each reference to any "form," either by number or by any other designation, in the portions of the code of federal regulations adopted by reference in K.A.R. 4-16-1c shall mean a form supplied by the meat and poultry inspection program of the inspections division of the state board of agriculture.

(d) Each reference to "U.S." or "the United States"

in the portions of the code of federal regulations adopted by reference in K.A.R. 4-16-1c shall mean Kan-

sas or the state of Kansas as appropriate.

(e) Each reference to "program" or to "food safety and inspection service" in the portions of the code of federal regulations adopted by reference in K.A.R. 4-16-1c shall mean the meat and poultry inspection program of the inspections division of the state board of agriculture.

(f) Each reference to "not for sale," when used in the context of labeling product produced in a custom plant, in the portions of the code of federal regulations adopted by reference in K.A.R. 4-16-1c shall mean

"custom—not for sale."

(g) Each reference to "official establishment" in the portions of the code of federal regulations adopted by reference in K.A.R. 4-16-1c shall mean any permanently located building or adjacent premises where cattle, sheep, swine, goats, horses, mules and other equine, domestic rabbits, buffalo, or poultry capable of use as human food are slaughtered; or where the carcasses of these animals or poultry are cut, boned, smoked, salted, canned, packed, rendered, or otherwise processed.

(h) Each reference to "commerce" in the portions of the code of federal regulations adopted by reference in K.A.R. 4-16-1c shall mean intrastate commerce.

(i) Each reference to "federal food, drug and cosmetic act" in the portions of the code of federal regulations adopted by reference in K.A.R. 4-16-1c shall mean the "Kansas food, drug and cosmetic act" (K.S.A. 65-655 et seq.).

) Each reference to any dollar limitation per calendar year set by the administrator found in section 303.1(d)(2)(iii)(b) in the portions of the code of federal regulations adopted by reference in K.A.R. 4-16-1c shall mean \$30,000.00. (Authorized by K.S.A. 65-6a44;

implementing K.S.A. 65-6a20, 65-6a21, 65-6a22, 65-6a23, 65-6a25 and 65-6a30; effective May 1, 1982; amended May 1, 1986; amended Jan. 1, 1989; amended

Jan. 21, 1991; amended Jan. 25, 1993.)

4-16-1c. Adoption by reference. (a) The following sections of title 9 of the code of federal regulations, revised as of January 1, 1992, and amended and supplemented by federal register publications dated June 10, 1992 and June 22, 1992, are hereby adopted by reference:

(1) All of part 301 except subparagraphs (hh), (ii),

(aaa), (kkk), and (rrr) of part 301.2;

(2) All of part 302 except section 302.2; (3) All of part 303 except section 303.2; (4) All of parts 304 through 306 inclusive;

(5) All of part 307 except sections 307.5 and 307.6;

(6) All of parts 308 through 311 inclusive;

(7) All of part 312 except sections 312.7 and 312.8;

(8) All of parts 313 through 316 inclusive; and

(9) All of part 317 except section 317.7;

(10) All of parts 318 through 320 inclusive except sections 319.15(a), 319.15(b) and 319.15(e);

(11) All of part 325 except section 325.3; (12) All of part 329 except 329.8 and 329.9.

(b) Copies of this material or the pertinent portions thereof are available from the division of inspections of the state board of agriculture, Topeka, Kansas. (Authorized by K.S.A. 65-6a44; implementing K.S.A. 65-6a20, 65-6a21, 65-6a22, 65-6a23, 65-6a25 and 65-6a30; effective May 1, 1986; amended May 1, 1988; amended Jan. 1, 1989; amended Jan. 21, 1991; amended Jan. 25, 1993.)

4-16-7a. Overtime work by inspection personnel. The operator of an establishment which requires the services of a division employee on any Saturday, Sunday or holiday, or for any interval of more than four or eight regularly assigned hours on any other day, shall request in advance that the inspector supply inspection service during the overtime period. The operator of that establishment shall pay the division for overtime services at the rate of \$18 per hour to reimburse the agency for the cost of the inspection services. This regulation shall become effective on July 1, 1993. (Authorized by K.S.A. 65-6a44; implementing K.S.A. 65-6a26; effective May 1, 1986; amended Jan. 1, 1989; amended July 1, 1993.)

Article 17.—POULTRY AND POULTRY PRODUCTS INSPECTION

4-17-1a. Definitions. (a) Each reference to "the act" or "act" in the portions of the code of federal regulations adopted by reference in K.A.R. 4-17-1c shall mean K.S.A. 65-6a18 et seq.

(b) Each reference to "secretary" or to "administrator" in the portions of the code of federal regulations adopted by reference in K.A.R. 4-17-1c shall mean the

secretary of the state board of agriculture.

(c) Each reference to any "form," either by number or by any other designation, in the portions of the code of federal regulations adopted by reference in K.A.R. 4-17-1c shall mean a form supplied by the meat and poultry inspection program of the inspections division of the state board of agriculture.

(d) Each reference to "U.S." or "the United States"

in the portions of the code of federal regulations adopted by reference in K.A.R. 4-17-1c shall mean Kan-

sas or the state of Kansas as appropriate.

(e) Each reference to "program" or to "food safety and inspection service" in the portions of the code of federal regulations adopted by reference K.A.R. 4-17-1c shall mean the meat and poultry inspection program of the inspections division of the state board of agriculture.

(f) Each reference to "not for sale," when used in the context of labeling product produced in a custom plant, in the portions of the code of federal regulations adopted by reference in K.A.R. 4-17-1c shall mean

'custom-not for sale.'

- (g) Each reference to "official establishment" in the portions of the code of federal regulations adopted by reference in K.A.R. 4-17-1c shall mean any permanently located building or adjacent premises where cattle, sheep, swine, goats, horses, mules and other equine, domestic rabbits, buffalo, or poultry capable of use as human food are slaughtered; or where the carcasses of these animals or poultry are cut, boned, smoked, salted, canned, packed, rendered, or otherwise processed.
- (h) Each reference to "commerce" in the portions of the code of federal regulations adopted by reference
- in K.A.R. 4-17-1c shall mean intrastate commerce.
 (i) Each reference to "department" in the portions of the code of federal regulations adopted by reference in K.A.R. 4-17-1c shall mean the state board of

(j) Each reference to "egg products inspection act" in the portions of the code of federal regulations adopted by reference in K.A.R. 4-17-1c shall mean the Kansas egg law (K.S.A. 2-2501 et seq.).

(k) Each reference to "federal food, drug and cos-

metic act" in the portions of the code of federal regulations adopted by reference in K.A.R. 4-17-1c shall mean the "Kansas food, drug and cosmetic act" (K.S.A. 65-655 et seq.).

(l) Each reference to "federal meat inspection act" shall mean the "Kansas meat and poultry inspection

act" (K.S.A. 65-6a18 et seq.).

- (m) Each reference to section 381.10 in the portions of the code of federal regulations adopted by reference in K.A.R. 4-17-1c shall include any modifications contained in K.A.R. 4-17-5a. (Authorized by K.S.A. 65-6a44; implementing K.S.A. 65-6a20, 65-6a21, 65-6a22, 65-6a23, 65-6a25 and 65-6a30; effective Jan. 1, 1989; amended Jan. 21, 1991; amended Jan. 25, 1993.)
- **4-17-1e.** Adoption by reference. (a) The following sections of title 9 of the code of federal regulations, revised as of January 1, 1992 and amended and supplemented by federal register publications dated June

- 10, 1992 and June 24, 1992, are hereby adopted by reference:
- (1) All of section 381.1 except subparagraphs (33), (50), (52), (53), (61) and (62) of subsection b;
- (2) All of sections 381.3 through 381.7 inclusive;
- (3) All of sections 381.10 through 381.33, except sections 381.11, 381.12 and 381.31;
- (4) All of sections 381.36 through 381.182 inclusive; except section 381. 38(b);
- (5) All of sections 381.189 through 381.194 inclusive except section 381.192.;
- (6) All of sections 381.210 through 381.218 inclusive; and
 - (7) All of sections 381.300 through 381.311 inclusive.
- (b) Copies of this material or the pertinent portions thereof are available from the division of inspections of the state board of agriculture, Topeka, Kansas. (Authorized by K.S.A. 65-6a44; implementing K.S.A. 65-6a20, 65-6a21, 65-6a22, 65-6a23, 65-6a25 and 65-6a30; effective Jan. 1, 1989; amended Jan. 21, 1991; amended Jan. 25, 1993.)
- **4-17-5a.** Exemptions. (a) Notwithstanding the provisions of subsection (3) of subparagraph (a) of K.A.R. 4-17-1c, the following provisions of section 381.10 of Title 9 of the code of federal regulations shall not be adopted by reference:

(1) all language in section 381.10(a)(3) after the colon

following the word employees;

(2) all language in section 381.10(a)(4) after the colon following the word food;

- (3) the language contained in sections 381.10(a)(5)(i)
- and 381.10(a)(5)(ii); (4) the language contained in sections 381.10(a)(6)(i) and 381.10(a)(6)(ii); and
- (5) the last two sentences contained in section

381.10(d)(2)(iii)(b).

- (b) The dollar limitation referred to in section 381.10(d)(2)(iii)(b) of title 9 of the code of federal regulations adopted by reference in K.A.R. 4-17-1c shall be \$30,000.00.
- (c) The number 20,000 contained in section 381.10(b)(1) of title 9 of the code of federal regulations adopted by reference in K.A.R. 4-17-1c shall be reduced to the number 1000.
- (d) The term "poultry" used in sections 381.10(b)(1) and 381.(c)(1) of title 9 of the code of federal regulations adopted by reference in K.A.R. 4-17-1c shall mean poultry unit. For the purpose of this regulation, poultry units shall be computed by using .25 units for each goose or turkey, one unit for each chicken or other bird. (Authorized by K.S.A. 65-6a44; implementing K.S.A. 65-6a31; effective Jan. 1, 1989; amended Jan. 25, 1993.)

Sam Brownback Secretary of Agriculture

State Banking Department

Permanent Administrative Regulations

Article 11.—INVESTMENT SECURITIES

17-11-21. Appraisement. An accurate appraisal of all real estate mortgaged securing debt in excess of \$15,000 to a bank or trust company shall be made by two officers or directors of the bank or trust company, or by an independent state licensed appraiser who shall view the premises, make a written statement of value and sign and file the same with the bank or trust company. The land and the improvements shall be appraised separately. (Authorized by K.S.A. 9-1713; implementing K.S.A. 9-1101; effective Jan. 1, 1966; amended May 1, 1978; amended Jan. 27, 1992; amended October 19, 1992; amended Jan. 25, 1993.)

Frank D. Dunnick State Bank Commissioner

Doc. No. 012835

State of Kansas

Secretary of State

Certificate of the State Board of Canvassers General Election, November 3, 1992

We the undersigned, constituting the State Board of Canvassers of the State of Kansas, do hereby certify that we have examined the certified abstract of votes on file in the office of the Secretary of State, as prescribed by law, and we find the statement given therein of the whole number of votes cast for the several candidates for the various National and State offices therein named, the votes for retention in office of Justice of the Supreme Court, Court of Appeals Judges, District Judges and District Magistrate Judges, and the votes cast on the Constitutional Amendments is true and correct as shown by such abstract.

We further certify and declare that each of the following named persons were duly elected, or retained, to the respective offices above their name at the General Election held on the third day of November, A.D. 1992.

President of the United States • George Bush, Alexandria, VA, Republican

United States Senate
Bob Dole, Russell, Republican

United States Representative

District 1

Pat Roberts, Dodge City, Republican

District 2

Jim Slattery, Topeka, Democratic

District 3

Jan Meyers, Overland Park, Republican

District 4

Dan Glickman, Wichita, Democratic

Kansas Senate

District 1

Don Sallee, Troy, Republican

District 2

Sandy Praeger, Lawrence, Republican

District 3

Carolyn Tillotson, Leavenworth, Republican

District 4

Sherman Jones, Kansas City, Democratic

District 5

Al Ramirez, Bonner Springs, Republican

District 6

Bill Wisdom, Kansas City, Democratic

District 7

Audrey Langworthy, Prairie Village, Republican

District 8

Dick Bond, Overland Park, Republican

District 9

Paul Bud Burke, Olathe, Republican

District 10

August "Gus" Bogina Jr., Shawnee, Republican

District 11

Robert (Bob) Vancrum, Overland Park, Republican

District 12

Doug Walker, Osawatomie, Democratic

District 13

Phil Martin, Pittsburg, Democratic

District 14

Bill Brady, Parsons, Democratic

District 15

Tim Emert, Independence, Republican

District 16

David R. Corbin, Towanda, Republican

District 17

Gerald "Jerry" Karr, Emporia, Democratic

District 18

Marge Petty, Topeka, Democratic

District 19

Anthony Hensley, Topeka, Democratic

District 20

Alicia Laing Salisbury, Topeka, Republican

District 21

Janice Hardenburger, Haddam, Republican

District 22

Lana Oleen, Manhattan, Republican

District 23

Mark V. Parkinson, Olathe, Republican

Ben Vidricksen, Salina, Republican

District 25

Pat Ranson, Wichita, Republican

District 26

Todd Tiahrt, Goddard, Republican

District 27

Mike Harris, Wichita, Republican

District 28

Paul Feleciano, Jr., Wichita, Democratic

District 29

U. L. Rip Gooch, Wichita, Democratic

District 30

Barbara Lawrence, Wichita, Republican

District 31

Christine Downey, Newton, Democratic

District 32

Richard R. (Dick) Rock, Arkansas City, Democratic

District 33

Lillian D. Papay, Great Bend, Republican

District 34

Dave Kerr, Hutchinson, Republican

District 35

Don C. Steffes, McPherson, Republican

District 36

Janis K. Lee, Kensington, Democratic

District 37

Jerry Moran, Hays, Republican

District 38

Marian K. Reynolds, Dodge City, Republican

District 39

Steve Morris, Hugoton, Republican

District 40

Sheila Frahm, Colby, Republican

Kansas House of Representatives

District 1

Tim Shallenburger, Baxter Springs, Republican

District 2

Robert "Bob" Grant, Cherokee, Democratic

District 3

Ed McKechnie, Pittsburg, Democratic

District 4

Gilbert Ernest Gregory, Fort Scott, Democratic

District 5

George Teagarden, La Cygne, Democratic

District 6

Jene Vickrey, Louisburg, Republican

District 7

Vernon W. Correll, Oswego, Democratic

District 8

Richard R. Reinhardt, Erie, Democratic

District 9

Doug Lawrence, Burlington, Republican

District 10

Walker Hendrix, Ottawa, Republican

District 11

Jim D. Garner, Coffeyville, Democratic

District 12

Cindy Empson, Independence, Republican

District 13

Rochelle Beach Chronister, Neodesha, Republican

District 14

Kay O'Connor, Olathe, Republican

District 15

John M. Toplikar, Olathe, Republican

District 16

Tim Carmody, Overland Park, Republican

District 17

Lisa L. Benlon, Shawnee, Republican

District 18

Phill Kline, Shawnee, Republican

District 19

Phil Kline, Overland Park, Republican

District 20

Blaise R. Plummer, Overland Park, Republican

District 21

Barbara P. Allen, Prairie Village, Republican

District 22

Carol H. Sader, Prairie Village, Democratic

District 23

Gary H. Blumenthal, Merriam, Democratic

District 24

Robert "Bob" Tomlinson, Roeland Park, Republican

District 25

Al Lane, Mission Hills, Republican

District 26

Vincent K. Snowbarger, Olathe, Republican

District 27

Nancy Brown, Stanley, Republican

District 28

David Adkins, Leawood, Republican

District 29

Thomas A. Robinett Jr., Overland Park, Republican

District 30

Gary Haulmark, Lenexa, Republican

District 31

Pat Huggins Pettey, Kansas City, Democratic

District 32

Herman G. Dillon, Kansas City, Democratic

District 33

Richard J. "Dick" Edlund, Kansas City, Democratic

Robert Bob Watson, Kansas City, Democratic

District 35

Tom Bruns, Kansas City, Democratic

District 36

J.G. Novak, Kansas City, Democratic

District 37

Bill Reardon, Kansas City, Democratic

District 38

Jim Long, Kansas City, Democratic

District 39

Ray L. Cox, Bonner Springs, Republican

District 40

L. Candy Ruff, Leavenworth, Democratic

District 41

Clyde D. Graeber, Leavenworth, Republican

District 42

Kenny A. Wilk, Lansing, Republican

District 43

Judith K. Macy, DeSoto, Democratic

District 44

Barbara W. Ballard, Lawrence, Democratic

District 45

Forrest Lowell Swall, Lawrence, Democratic

District 46

Betty Jo Charlton, Lawrence, Democratic

District 47

Joann Flower, Oskaloosa, Republican

District 48

Jerry Henry, Atchinson, Democratic

District 49

Galen Weiland, Bendena, Democratic

District 50

Marvin E. Smith, Topeka, Republican

District 51

Greg A. Packer, Topeka, Republican

District 52

Tom Bradley, Topeka, Republican

District 53

Denise Everhart, Berryton, Democratic

District 54

Doug Mays, Topeka, Republican

District 55

Joan Wagnon, Topeka, Democratic

District 56

Kathleen Sebelius, Topeka, Democratic

District 57

Bob G. Wootton, Topeka, Democratic

District 58

Rocky Nichols, Topeka, Democratic

District 59

Elaine L. Wells, Carbondale, Republican

District 60

James E. Lowther, Emporia, Republican

District 61

Don M. Rezac, Emmett, Democratic

District 62

Kent Glasscock, Manhattan, Republican

District 63

Bruce F. Larkin, Baileyville, Democratic

District 64

Steve Lloyd, Palmer, Republican

District 65

Alex Scott, Junction City, Republican

District 66

Sheila Hochhauser, Manhattan, Democratic

District 67

Joe Keir, Brookville, Republican

District 68

Steve Wiard, Council Grove, Democratic

District 69

Carolyn Weinhold, Salina, Democratic

District 70

Duane Goossen, Goessel, Republican

District 71

Eloise Lynch, Salina, Democratic

District 72

Garry Boston, Newton, Republican

District 73

Delbert Crabb, McPherson, Republican

District 74

Ellen Banman Samuelson, Hesston, Republican

District 75

William G. Mason, El Dorado, Republican

District 76

Rex Crowell, Longton, Republican

District 77

Kenneth R. King, Leon, Republican

District 78

Greta Hall Goodwin, Winfield, Democratic

District 79

Rand Rock, Arkansas City, Democratic

District 80

Robert H. Miller, Wellington, Republican

District 81

Ted Powers, Mulvane, Republican

District 82

Don Myers, Derby, Republican

District 83

Jo Ann Pottorff, Wichita, Republican

Jonathan Wells, Wichita, Democratic

District 85

Richard Lahti, Wichita, Democratic

District 86

Henry Helgerson, Wichita, Democratic

District 87

Wanda Fuller, Wichita, Republican

District 88

Gwen Welshimer, Wichita, Democratic

District 89

Ruby Gilbert, Wichita, Democratic

District 90

Darlene Cornfield, Valley Center, Republican

District 91

Tom Bishop, Wichita, Democratic

District 92

Ken Grotewiel, Wichita, Democratic

District 93

Rick Bowden, Goddard, Democratic

District 94

Les Donovan, Wichita, Republican

District 95

Tom Sawyer, Wichita, Democratic

District 96

George R. Dean, Wichita, Democratic

District 97

Darrel M. Webb, Wichita, Democratic

District 98

Joel Rutledge, Wichita, Democratic

District 99

Susan Wagle, Wichita, Republican

District 100

Carlos Mayans, Wichita, Republican

District 101

Robert E. Krehbiel, Pretty Prairie, Democratic

District 102

Janice L. Pauls, Hutchinson, Democratic

District 103

Sabrina Standifer, Wichita, Democratic

District 104

Michael R. "Mike" O'Neal, Hutchinson, Republican

District 105

Richard Alldritt, Harper, Democratic

District 106

Bill Bryant, Washington, Republican

District 107

Joann Freeborn, Ames, Republican

District 108

Dennis McKinney, Greensburg, Democratic

District 109

Keith Roe, Mankato, Republican

District 110

Carol Dawson, Russell, Republican

District 111

Delbert L. Gross, Hays, Democratic

District 112

Bob Mead, Pawnee Rock, Republican

District 113

Jack Wempe, Little River, Democratic

District 114

Melvin G. Minor, Stafford, Democratic

District 115

Melvin J. Neufeld, Ingalls, Republican

District 116

Don C. Smith, Dodge City, Democratic

District 117

Robin L. Jennison, Healy, Republican

District 118

Gayle Mollenkamp, Russell, Republican

District 119

Laura L. McClure, Glen Elder, Democratic

District 120

Fred Gatlin, Atwood, Republican

District 121

Jim Morrison, Colby, Republican

District 122

Gary K. Hayzlett, Lakin, Republican

District 123

David J. Heinemann, Garden City, Republican

District 124

Eugene L. Shore, Johnson, Republican

District 125

Carl D. Holmes, Liberal, Republican

State Board of Education

District 2

Kathleen White, Prairie Village, Republican

District 4

Connie Hubbell, Topeka, Republican

District 6

Bill Musick, Minneapolis, Republican

District 8

Michael D. Gragert, Wichita, Democratic

District 10

Gwen Nelson, Arkansas City, Republican

District Attorney

District 3

Joan "JoAnn" Hamilton, Topeka, Democratic

District 7

Jerry Wells, Lawrence, Republican

Paul J. Morrison, Lenexa, Republican

District 18

Nola Foulston, Wichita, Democratic

District 29

Nick A. Tomasic, Kansas City, Democratic

District Court Judge

District 13, Division 2

Charles M. "Chuck" Hart, Augusta, Republican

District 13, Division 3

John M. (Mike) Jaworsky, El Dorado, Democratic

District 14, Division 3

Russell D. Canaday, Independence, Republican

District 15, Division 1

Glenn D. Schiffner, Colby, Republican

District 15, Division 2

Jack L. Burr, Goodland, Republican

District 16, Division 2

Jay Don Reynolds, Dodge City, Republican

District 17, Division 1

Charles E. Worden, Norton, Republican

District 18, Division 1

Karl W. Friedel, Wichita, Republican

District 18, Division 2

Jim Burgess, Wichita, Republican

District 18, Division 3

Carol Bacon, Wichita, Democratic

District 18, Division 6

D. Keith Anderson, Valley Center, Republican

District 18, Division 9

Paul W. Clark, Mulvane, Democratic

District 18, Division 10

Ron Rogg, Wichita, Democratic

District 18, Division 11

Dan Brooks, Wichita, Democratic

District 18, Division 12

Michael Corrigan, Wichita, Republican

District 18, Division 13

Richard T. Ballinger, Derby, Democratic

District 18, Division 14

Karen M. Humphreys, Wichita, Republican

District 18, Division 16

Hal Malone, Wichita, Republican

District 18, Division 20

Clark V. Owens, Wichita, Republican

District 18, Division 21

Jennifer Jones, Wichita, Democratic

District 18, Division 22

Montie R. Deer, Wichita, Democratic

District 18, Division 23

William D. Rustin, Wichita, Republican

District 18, Division 24 Bob Bell, Wichita, Republican

District 19, Division 1

Robert L. Bishop, Winfield, Republican

District 19, Division 2

Richard E. Cook, Arkansas City, Democratic

District 20, Division 2

Herb Rohleder, Great Bend, Democratic

District 20, Division 3

Mike Keeley, Great Bend, Democratic

District 22, Division 2

J. D. Euler, Hiawatha, Republican

District 23, Division 1

Edward E. Bouker, Hays, Independent

District 23, Division 2

Tom Scott, Ellis, Democratic

District 26, Division 2

Thomas Keith Wilson, Liberal, Republican

District 27, Division 2

William F. "Buck" Lyle, Hutchinson, Democratic

District 27, Division 4

Patricia Macke Dick, Buhler, Republican

District 29, Division 1

John J. Bukaty Jr., Kansas City, Democratic

District 29, Division 2

William M. Cook, Kansas City, Democratic

District 29, Division 7

Carlos Murguia, Kansas City, Democratic

District 29, Division 8

R. David Lamar, Kansas City, Democratic

District 29, Division 9

David Mikesic, Kansas City, Democratic

District 29, Division 13

Lawrence G. Zukel, Kansas City, Democratic

District 29, Division 14

Daniel A. Duncan, Kansas City, Democratic

District 29, Division 16

Muriel Yates Harris, Kansas City, Democratic

District Magistrate Judge

District 13, Position 1

Martina M. Hubbell, Howard, Republican

District 13, Position 2
Ross Robin McIlvain, Eureka, Republican

District 14

David A. Casement, Sedan, Republican

District 15, Position 1

Jeffery T. Northrup, St. Francis, Republican

District 15, Position 2

Richard L. Kvasnicka, Oakley, Independent

District 15, Position 3

Tony J. Haffner, Hoxie, Democratic

District 15, Position 4

Larry D. Montandon, Sharon Springs, Republican

District 15, Position 5

Richard J. (Rick) Ress, Colby, Democratic

District 15, Position 6

Dorothy R. Reinert, Atwood, Democratic

District 16, Position 1

Michael A. Freelove, Ashland, Republican

District 16, Position 2

L. E. (Mike) Murphey, Coldwater, Republican

District 16, Position 3

Marvel E. Foulks, Cimarron, Democratic

District 16, Position 4

H. B. Scott, Haviland, Republican

District 16, Position 5

John E. Murphy, Meade, Republican

District 17, Position 1

Pauline Coker, Hill City, Republican

District 17, Position 2

John E. Bremer, Oberlin, Republican

District 17, Position 4

Jacqueline E. Thornton, Osborne, Democratic

District 17, Position 5

Bonnie M. Leidig, Phillipsburg, Republican

District 17, Position 6

O. Walter Keever, Smith Center, Republican

District 20, Position 1

Dale L. Urbanek, Ellsworth, Democratic

District 20, Position 2

Don L. Alvord, Sterling, Democratic

District 20, Position 3

N. Jeanne Becker, Russell, Democratic

District 20, Position 4

Lee Nusser, St. John, Republican

District 22, Position 1

Jerry K. Dubach, Troy, Republican

District 22, Position 2

Elizabeth "Beth" Carleen, Beattie, Republican

District 23, Position 2

Nancy M. Conyac, Stockton, Democratic

District 23, Position 3

Patricia C. Schremmer, WaKeeney, Democratic

District 24, Position 1

Richard Miller, Kinsley, Republican

District 24, Position 2

Philip T. Kyle, Jetmore, Republican

District 24, Position 3

Kevin Pettay, Dighton, Republican

District 24, Position 4

James R. Kepple, Ness City, Republican

District 24, Position 5

David C. Buster, Larned, Republican

District 24, Position 6

Leonard A. Mastroni, LaCrosse, Republican

District 26, Position 1

Peggy L. Alford, Ulysses, Republican

District 26, Position 2

Tom B. Webb, Sublette, Republican

District 26, Position 3

Roseanna K. Volden, Elkhart, Republican

District 26, Position 4

Vance L. Whittington, Johnson, Democratic

District 26, Position 5

Verna Kay McQueen, Hugoton, Democratic

Kansas Supreme Court—Retention

Position 1

Bob Abbott, Junction City

Kansas Court of Appeals—Retention

Position 2

J. Patrick Brazil, Eureka

Position 3

G. Joseph Pierron, Olathe

Position 7

Robert E. Davis, Leavenworth

District Judge—Retention

District 1, Division 3

Frederick N. Stewart, Easton

District 2, Division 1

Tracy D. Klinginsmith, Holton

District 2, Division 2

Gary L. Nafziger, Ozawkie

District 3, Division 1

William Randolph Carpenter, Topeka

District 3, Division 7

Franklin R. Theis, Berryton

District 3, Division 8

Frank J. Yeoman Jr., Topeka

District 3, Division 8

Charles E. Andrews Jr., Topeka

District 3, Division 11

Mathew J. Dowd, Topeka

District 3, Division 13

Thomas R. Conklin, Topeka

District 4, Division 1

Jules V. Doty, Ottawa

District 4, Division 2

Thomas H. Sachse, Ottawa

District 4, Division 3
James J. Smith, Garnett

District 5, Division 2 William J. Dick, Emporia

District 5, Division 3 Merlin G. Wheeler, Emporia

District 7, Division 1
Ralph M. King Jr., Lawrence

District 7, Division 2
James W. Paddock, Lawrence

District 7, Division 2 Michael J. Malone, Lawrence

District 8, Division 1 James C. Johnson, Abilene

District 8, Division 3 Michael F. Powers, Marion

District 8, Division 4
George F. Scott, Junction City

District 9, Division 1
Theodore B. Ice, Newton

District 9, Division 3
Carl B. Anderson Jr., Lindsborg

District 10, Division 3 William A. Cleaver, Overland Park

> District 10, Division 4 Gerald T. Elliot, Lenexa

District 10, Division 5
Phillip L. Woodworth, Overland Park

District 10, Division 6
James Franklin Davis, Lenexa

District 10, Division 11 Bill Haynes, Olathe

District 10, Division 12
Robert G. Jones, Overland Park

District 10, Division 13 Janette Sheldon, Lenexa

District 10, Division 14 Gerald L. Hougland, Olathe

District 10, Division 15 Lawrence E. Sheppard, Olathe

District 10, Division 16 John Anderson III, Olathe

District 11, Division 1 Nelson E. Toburen, Pittsburg

District 11, Division 2
David F. Brewster, Baxter Springs

District 11, Division 4 Donald R. Noland, Pittsburg

District 11, Division 5 John C. Gariglietti, Pittsburg

District 11, Division 6
Daniel L. Brewster, Parsons

District 21, Division 1 Paul E. Miller, Manhattan

District 21, Division 2 Jerry L. Mershon, Manhattan

District 21, Division 3 Harlan W. Graham, Manhattan

District 25, Division 3 Philip C. Vieux, Garden City

District 28, Division 4
John Weckel, Salina

District 30, Division 1 Robert J. Schmisseur, Pratt

District 30, Division 2 Thomas H. Graber, Belle Plaine

District 31, Division 1
John W. White, Humboldt

District 31, Division 2 Timothy E. Brazil, Chanute

District Magistrate Judge—Retention

District 2, Position 1
Dennis L. Reiling, Oskaloosa

District 2, Position 3 Verle L. Swenson, Alma

District 4, Position 1 Larry L. Coursen, Overbrook

District 4, Position 2
Phillip M. Fromme, Burlington

District 5
Francis D. Towle, Cottonwood Falls

District 6
Samuel I. Mason, Fort Scott

District 8, Position 1 John E. Barker, Abilene

District 8, Position 2 Larry Hylton, Council Grove

> District 11 Bill W. Lyerla, Galena

District 12, Position 1
Kathryn Carter, Jamestown

District 12, Position 2
Jack D. Bradrick, Mankato

Ruth T. Browne, Clay Center

District 25, Position 1 C. Ann Wilson, Tribune

District 25, Position 4 Gordon Goering, Scott City

District 28

Adrian A. Lapka, Minneapolis

District 30, Position 1 R. Scott McOuin, Medicine Lodge

> District 30, Position 2 John P. Moore, Anthony

Proposed Amendments to the Constitution

Ouestion No. 1

Pertaining to Property Tax Classification

Yes No

476,958 428,213

Reg. No.

4-15-2

4-16-300 through 4-16-305

4-17-300 through 4-17-305

through 5-45-4

5-45-6

Question No. 2 Pertaining to Victims' Rights

> Yes No

> > 5-45-7

5-45-12

5-45-13

789,994 145,983

IN TESTIMONY WHEREOF, we have hereunto subscribed our names this 30th day of November, A.D.

> Joan Finney Governor Bill Graves Secretary of State **Bob Stephan** Attorney General

> > V. 11, p. 44, 363

V. 11, p. 44, 363

V. 11, p. 45, 364

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V. 10, p. 1831

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Doc. No. 012802

AGENCY 4: BOARD OF

AGRICULTURE

Action

Amended

New

New

INIDE	Y TO	ADMII	JICTR A	TIVE
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· .	REC	GULATI	ONS	

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the Kansas Register issue in which more information can be found. This cumulative index supplements the index found in the 1991 Supplement to the Kansas Administrative Regulations.

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1-5-27	Revoked	V. 10, p. 1688
1-5-28	Amended	V. 10, p. 1688
1-5-30	Amended	V. 10, p. 1689
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1-6-31	Amended	V. 11, p. 1016
1-6-32	Amended	V. 11, p. 278
1-8-7	Amended	V. 11, p. 1017
1-9-4	Amended	V. 11, p. 1017
1-9-5	Amended	V. 11, p. 1019
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1-45-16	Amended	V. 10, p. 1692
1-46-1	Amended	V. 11, p. 1195
1-46-3	Amended	V. 11, p. 1195
1-49-1	Amended	V. 10, p. 1472

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4-7-533	New	V. 10, p. 1320	7-30-1	Amended
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New

New

New

New

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Amended

Amended

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60-13-106		V, 10, p. 1044	through			82-3-103	Amended	V. 11, p. 38
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